

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

**MINUTES OF MEETING  
August 23-24, 2012**

By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Psychologist and Psychological Associate Examiners was held on August 23-24, 2012 at the Robert B. Atwood Building, 550 West 7<sup>th</sup> Avenue, Suite 1860, Anchorage, Alaska.

Thursday, August 23, 2012

**Call to Order/Roll Call**

The meeting was called to order at 8:33 am by Dr. John DeRuyter, Board Chair.

Those present, constituting a quorum of the Board:

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

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

Alysha Hernandez, Licensing Examiner  
Gary Keiser, Investigator

**Agenda Item 1 – Review Agenda**

Dr. DeRuyter added that at some point during the meeting, he would like to discuss the topic of whether you have to be licensed in order to give expert testimony in the State of Alaska. Mr. Levy said that a way to get more information about that is to go to the Alaska Rules of Court online. It was suggested that this topic could be presented to Law.

**Task:** Dr. DeRuyter will distribute archived testimony information to the board

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

### **Agenda Item 2 – Review Task List**

Dr. DeRuyter asked that the task 'Draft proposed regulation on tele-psychology' be removed from the task list as he is not going to be doing anything with that until the Board gets a clearer view of it. He has composed a new exam question which will be presented to the Board during the exam review time.

Mr. Levy has not yet contacted Behavioral Health regarding other agencies treatment of LPAs but also has an exam question to present to the Board.

### **Agenda Item 3 – Ethics Disclosure**

There were no ethics violations to disclose.

### **Agenda Item 5 – Review & Approve Minutes**

The Board reviewed the minutes from the April 12-13, 2012.

Mr. Levy asked that the minutes reflect that he is not a doctor and to change all mentions of 'Dr. Levy' to 'Mr. Levy'.

Dr. DeRuyter stated that on page 2, Item 4, last paragraph what he said was not intended to be understood that way. He would like to clarify that the State Law & Ethics Examination tests foundational knowledge and also tends to lean towards questions that help to ensure that new licensees have a knowledge base that helps them avoid the kinds of complaints that have been more common. He would like that the minutes be changed to show that the questions are created to ensure foundational understanding of the law, regulation and ethics relevant to the profession.

Mr. Muntean asked that staff create a separate list of things that are discussed at each meeting for follow up at a later time. He would like to see those things at the end of the meeting agenda for review to see if questions have been answered and if anything else needs to be added to it.

On Page 3, Item number 8, 'past' should be changed to read 'passed away'.

Dr. DeRuyter would like to have the author of the Goals and Objectives established so that the Board will be able to evaluate what can be changed as needed.

The Board put the approval of the minutes on hold while the Board reviewed the Investigative Report.

**Task:** change all references to 'Dr. Levy' in April minutes to read 'Mr. Levy'

**Task:** review past meeting recording for clarification of what was said by Dr. DeRuyter and amend minutes

**Task:** begin to pull the tasks from the meetings and separate them in the minutes

**Agenda Item 4 – Investigative Report**

Investigator Gary Keiser joined the meeting. He informed the Board that this would be his last meeting and that the Board's new investigator would be Margo Mandel.

**OPEN COMPLAINTS:**

**STATUTS:**

2012-000912 License Application Problem

Review Ongoing

**OPEN INVESTIGATIONS:**

None

**COMPLAINT OR INVESTIGATION ACTIVITY SINCE LAST BOARD MEETING:**

**STATUS:**

2012-000603 Professional Ethics Violations  
Violation

Closed – No

2012-000390 Unlicensed Practice

Closed – No Violation

The Board would like to thank Mr. Keiser for his time with the Board.

**Agenda Item 5 – Review & Approve Minutes**

**Upon a motion by Mr. Levy, seconded by Mr. Muntean and approved unanimously, it was:  
MOVED to approve the amended minutes.**

**Agenda Item 6 – Review and Approve Goals and Objectives**

The Board has made the following amendments to the Goals and Objectives:

- 1A: Requesting to hold meetings for the current fiscal year and to hold teleconference meetings as deemed necessary.
- 2A: Providing review and improved procedures to document continuing education of licensees for the current licensing period.
- 2C: Review continuing education audits for the current renewal cycle.
- 3B Activity #1: To send at least two board members to either ASPPB's Annual and/or Mid-Year Conference and the CLEAR Conference
- 3B Activity #2: Make online training available through the Council on Licensure, Enforcement and Regulation to each board member annually.
- 4D: Maintaining good relations and professional relationships with training programs and professional associations by being accessible and responsive to their concerns.
- 5B Activity #1: Advertise meetings of the board by direct email contact with identified constituencies and consumers.
- 5B Activity #5: *Repealed*

It was noted by the Board that the meetings need to be public noticed in more ways such as on the AK-PA list serve.

**Upon a motion by Mr. Levy, seconded by Mr. Muntean, it was:  
MOVED to approve the amended goals and objectives.**

**Task:** Mr. Muntean and board staff will work together to create a list of constituency and consumer groups to send meeting notifications to

**Task:** Dr. DeRuyter would like the author of the Goals and Objects identified

**Agenda Item:** outline long term goals for the board

### **Agenda Item 7 – Public Comment**

There was no one in attendance from the public during this time.

Break at 10:18 am; back at 10:31 am

### **Agenda Item 8 – Regulation Review**

The Board reviewed regulations regarding the duty to protect and confidentiality of communication. It was asked the on the next agenda to have a separate item for the board to have the opportunity to define 'imminent danger'. The board will not be making any regulation changes at this time.

**Agenda Item:** define 'imminent danger'

Break for lunch at 12:15 pm; back at 1:15 pm

### **Agenda Item 9 – Review Annual Report**

**Upon a motion by Dr. Wieman, seconded by Dr. Fuller and approved unanimously, it was:  
MOVED to approve the annual report as submitted to the Department.**

### **Agenda Item 10 – Budget Video Conference**

The Board was joined by Division staff via video conference:

Sara Chambers, Professional Licensing Operations Manager  
Misty Frawley, Administrative Officer II  
Michelle Johnston, Records & Licensing Supervisor

Dr. DeRuyter asked for clarification on what the Division's concept is of the fiscal management and accountability of the specific board functions and activities. Who are they controlled by and what control does the board have over them according to what policies and regulations the Division has?

Ms. Frawley stated that she is the one responsible for monitoring the expenses and produces the budget reports for the board's review. She understands that the board has set forth a budget proposal annually and it then gets evaluated on a biannual basis the fees based on the expenses that the board is generating. She did not print out the Board's expenditure detail as far as what exactly is hitting the board budget.

Dr. DeRuyter stated that his questions are geared toward what the board had discussed last board meeting in regards to what is going to happen to the Board's budget rather than what has already happened. Specifically, before any travel can happen, it has to be authorized, before any prioritizing can occur on the Board's end, it has to match what the Department's expectations are. In other words, we have X number of dollars that we can anticipate every biannual licensing period and we know historically that X percent is usually allocated to administrative and legal functions etc. with a

certain amount set aside for travel and other training and that sort of thing. With that part that is not historically allocated to the administrative piece, do we have the ability to decide if we would like to send two people to the ASPPB Annual and Mid-Year Conferences instead of sending one person to the CLEAR Conference because we have got the money to do it.

Ms. Chambers stated that that is something that the Division is trying to articulate to Boards so that they do understand exactly that. If the Board Budget Report is reviewed, there are certain categories that are tracked. They are broken down under the direct expenditure column.

The first direct expenditure to most boards is Personal Services which is basically personnel. If there is a Division employee that is working on something for the Board, then they will code their time to the Board. Most of the time, the largest chunk of the time that is charged is the Licensing Examiner. The Supervisor may need to get involved and code time to the Board. Also the Investigator, Operations Manager or Regulations Specialist may need to code time to the Board. This number is hardest to control because this is how the profession operates administratively.

The next expenditure is travel which encompasses the Examiners travel as well. Any travel that is mentioned in the Annual Report helps the Division to gauge the Boards desires for travel in order of priority.

Dr. DeRuyter asked what the mechanisms are to change the system that the Division has in place already for the process of travel approvals—is it something that can happen at a Department level or is it something that has to happen at a Legislative level?

Ms. Chambers said that there are two parts to the answer to this question. The more information that the Division can get about sending two people to the ASPPB Annual Conference, such as that it is the most important travel for the board to attend outside of required board meetings is good information that will help the Division to decide how to allocate the funds across the boards.

Ms. Frawley added that specific expenses requested by the board would be taken into consideration. The Division must save room in each board's budget for unexpected things such as a new case with law or a large investigation which is then charged to the board. Things such as these can have a serious impact to the budget of any board and those are not projected costs.

Ms. Chambers stated that because the governing body over the Division and the Boards is the Department, then this really becomes a Legislative question because the boards function as partners within the Division. The Boards are not given their own separate authority outside the Division. Some boards are, they are not licensing board, but there are other entities within the State called Boards that are different kinds of boards than licensing boards. But all licensing boards fall within the Division and that is how the State government system provides funding for the operations of the boards and other licensing programs. It would take a radical legislative act to be able to make this or any licensing board its own completely separate entity with its own direct funding. There are states with those models, but Alaska uses a different model.

Mr. Muntean asked apart from the 'wish list' that the board submits in the annual report, does the board have any control over the budget or does the board always need to submit what we would like to do and hope that we receive approval. But if we were to sit at a meeting and say that we want to travel to X with \$15,000, can we do that? Ms. Chambers said that that is not something that the board could be the final arbiter on because all of the expenses operate the same way. So what

would happen is that the board would make a motion that this particular expenditure is critically important to us and put that in the record. As the board we are making a decision that we really need to have that happen, and then the Licensing Examiner would then bring it to their supervisor and operations manager. One of those people would then make contact with the Chair to obtain more information. The information gathered would then go to Ms. Frawley to be sure that it fits in the whole budget umbrella of funding that all of the Boards have.

Mr. Muntean asked how to determine the cost for perusing a regulation change such as adding a background check to the application process.

Ms. Chamber stated that if the board is looking at making some statutory and regulatory changes that require legislative approval then to be able to weigh what are the criteria, what exactly do you want to accomplish, what are the pros and cons so then the Division can then look at it and determine, is this something that needs to go to the Department of Law, then that would be something that we would like at in the agreement that the Department of Law and the Department of Commerce have to see what the cost could accumulate to.

If, for example, a conference comes up that the board wishes to attend more than what was included in the annual report, the board can make a motion and state that it is more important than previously stated in the report.

It's the Board's position that the off-year surplus for this board should stay in the range of 150,000-200,000.

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

The Board reviewed the correspondence related to approval of CEs. It was decided that if someone inquires about whether a CE is approved or not, they need to take it upon themselves to read and understand the regulations related to continuing education. If the course or conference in this case meets the requirements for CEUs then it is accepted, if it does not, then it will not be accepted.

### **Agenda Item 12 – AK-PA**

Jaedon Avey joined the board meeting representing AK-PA to discuss the letter that was presented to the board regarding live webinars dated August 16, 2012. The board would like to thank Mr. Avey for the time and effort that was clearly present in his letter. The board would also like to thank AK-PA for them taking the time to go about approving and creating webinars carefully and voluntarily.

The board does not have any questions regarding the letter, nor does the board have any suggestions as regulatory changes that need to be discussed in order to accommodate the letter.

If AK-PA is doing the webinars and those webinars are meeting the requirements set forth by APA, then the webinars certainly meet the requirements of the board in regards to CEs being counted. The elements that have been brought up in the letter such as logging in and out, a mechanism for monitoring the fact that the participants are actually attending and the possibility for interactive capabilities.

The board would like input and clarification from AK-PA regarding confidentiality and duty to inform. Does this need to be defined by regulation or should it be left as it is interpreted now? Mr. Avey stated that there is an Ethics Officer for AK-PA and this could be communicated to them. Mr. Levy said that that would be wonderful but also states that a topic like this needs to be addressed by the

public and practitioners as well. Dr. DeRuyter stated that there needs to be more dialogue around this topic because there seems to be a conflict between what a person may be required to do in terms of mandated reporting or may have permission to do if you believe there is a threat. Mr. Avey suggested putting this topic on the AK-PA list serve and invite practitioners to open it to the public.

### **Agenda Item 14 – Courtesy License Report**

Ms. Hernandez presented a list of current and expired courtesy license holders. She stated that there are currently 5 active licenses with 2 of the licensees that will not be practicing under their courtesy license anymore. Mr. Levy asked what the board should be looking for in this report. Ms. Hernandez stated that it was just for the Boards information as it is something that is required by regulation for the licensees to submit monthly reports.

Dr. Wieman asked that on the renewal application that there be more room for listing CEs. If it is online, there needs to be either an extra page or an expandable space on the form in the pdf version that is posted online for renewals.

**Task:** add space to the renewal for CEs that have been completed

Recess at 3:45 pm

Friday, August 24, 2012

### **Call to Order/Roll Call**

The meeting was called to order at 8:33 am by Dr. John DeRuyter, Board Chair.

Those present, constituting a quorum of the Board:

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

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

Alysha Hernandez, Licensing Examiner

### **Agenda Item – 13 Application Review**

The Board reviewed the following applications:

#### ***Psychologist by Credentials***

— Kyle Hunneke

#### ***Psychologist by Examination***

- Cody Chipp
- Susan Piston
- Susanna Epp
- Tawnya Lies
- Valerie Gifford
- Erin Johnson

**Psychological Associate**

- Sheryl Martin
- Melissa Tourtillott

**Review Case No. 2012-000912**

The Board asked that the results of the court view search for any states be printed and added to the application folder before it is brought to the board. The Board would like to look at redefining what disorders need to be reported on the application. They would also like to review the supervision plan and alternate supervision plan forms to request more information since the alternate supervision plans are currently approved at the board's discretion.

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

**MOVED to approve the following psychologist applications for licensure by examination:**

- Susan Piston
- Valerie Gifford
- Amy Mozolik
- Tawnya Lies
- Cody Chipp and
- Erin Johnson

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

**MOVED to approve Kyle Hunneke's application for licensure by credentials**

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

**MOVED that Susanna Epp's application by examination be approved pending documentation being requested by the board clarifying her supervision plan**

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

**MOVED that Sheryl Martin's application for licensure of Psychological Associate be considered incomplete by the board pending transcripts from a regionally accredited university as described in 12 AAC 60.082 (2) that the program of study must be accredited by one of the regional accrediting bodies recognized by the Council of Postsecondary Accreditation.**

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

**MOVED to approve Melissa Tourtillott's application for psychological associate and issue a temporary license.**

**Task:** review what disorders need to be reported on the applications and renewals

**Task:** review the Supervision Plan and the Alternate Supervision Plan forms specifically to add more detail as necessary



**Agenda item:** evaluate and revise forms (applications and renewals and check sheets etc.) as necessary and evaluate and propose modified regulations as necessary and appropriate

Recess for lunch at 11:27 am; return at 11:50 am

### Agenda Items 15 & 16 – State Law and Ethics Exam

Upon a motion by Mr. Levy, seconded by Dr. Fuller, it was:

**MOVED that the Alaska State Board of Psychologist and Psychological Associate Examiners enter into executive session in accordance Alaska Statute 44.62.310(c)(2) and (3), and the Alaska Constitutional Right to Privacy Provisions, for the purpose of reviewing and editing the State Laws and Ethics Examination questions.**

Enter into executive session at 11:57 am; back on the record at 2:00 pm

### Agenda Item 17 – Administrative Business

#### Schedule Next Meeting

The next meeting date has already been scheduled for November 8-9, 2012 in Anchorage, AK. The meeting after that is set for January 10-11, 2013 in Anchorage, AK.

#### Sign Travel Authorizations

Travel authorizations were handed out for signatures and returned to Mrs. Hernandez.

#### Sign Meeting Minutes

Meeting minutes for January 2012, October 2011, and June 2011 were signed and returned to Mrs. Hernandez.

#### Tasks from August 8-9, 2012 meeting

**Task:** Dr. DeRuyter will distribute archived testimony information to the board

**Task:** change all references to 'Dr. Levy' in April minutes to read 'Mr. Levy'

**Task:** review past meeting recording for clarification of what was said by Dr. DeRuyter and amend minutes

**Task:** begin to pull the tasks from the meetings and separate them in the minutes

**Task:** Mr. Muntean and board staff will work together to create a list of constituency and consumer groups to send meeting notifications to via email

**Task:** Dr. DeRuyter would like the author of the Goals and Objects identified

**Task:** add space to the renewal for CEs that have been completed

**Task:** review what disorders or diagnosis need to be reported on the applications and renewals—board staff to pull other professions applications to see what is asked of applicants

**Task:** review the Supervision Plan and the Alternate Supervision Plan forms specifically to add more detail as necessary

#### Agenda items for November 8-9, 2012 meeting

**Agenda Item:** outline further long term goals for the board

**Agenda Item:** define 'imminent danger'

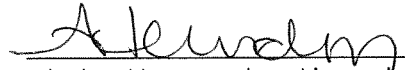
**Agenda item:** evaluate and revise forms (applications and renewals and check sheets etc.) as necessary and evaluate and propose modified regulations as necessary and appropriate

**Agenda item:** duty to warn, confidentiality of communication vs. protection of harm—does duty need to be defined?

**Upon a motion by Mr. Levy, seconded by Mr. Muntean and approved unanimously, it was:  
MOVED to adjourn the meeting.**

There being no further board business, the meeting adjourned at 2:27 pm.

Respectfully Submitted:



Alysha Hernandez, Licensing Examiner

Approved:



John DeRuyter, Chair

11/9/2012  
Date