

**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

January 10-11, 2013

The Staff of the Division of Corporations, Business and 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 August 23-24, 2012 at the Robert B. Atwood Building, 550 West 7th Avenue, Suite 1860, Anchorage, Alaska.

Thursday, January 10, 2013

Call to Order/Roll Call

The meeting was called to order at 8:38 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:

Karl Marx, Licensing Examiner
Michele Wall-Rood, Investigator
Misty Frawley, Administrative Officer (budget)
Sara Chambers, Operations Manager (telephonic)

In attendance from the public was:

Dr. Phillip Baker (AK-PA)

Agenda Item 2 – Review/Amend Agenda

Misty Frawley and Sara Chambers asked to postpone the budget discussion until 3:30 PM. Phillip Baker from AK-PA asked to speak telephonically at 10:30 a.m.

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

Agenda Item 3 – Review Task List

Tasked individuals gave a brief update on their progress.

Agenda Item 4 – Ethics Disclosure

Mr. Levy stated that since he was involved as a public member in ongoing discussions with Tricare he planned to recuse himself from any future Board votes on Tricare.

Agenda Item 5 – Investigative Report

Investigators Michele Wall-Rood provided a copy of the Investigative Report and explained the three tiered investigation process.

Agenda Item 6 – Review & Approve Minutes

Mr. Muntean asked if it was possible to put a counter on the Psychologist and Psychological Associate Examiner website to see, among other things, how many people are reading the posted minutes.

Dr. DeRuyter asked that initial online application forms be made interactive and to create an online renewal option.

TASK: Staff will inquire.

Agenda Item 8 – Regulation Review

Dr. DeRuyter pointed out that 12 AAC 60.290, 12 AAC 60.300, and 12 AAC 60.310 dealing with continuing education (CE) have become somewhat outdated due to technology.

Mr. Levy asked if relevant classes offered by the Bar Association could be approved. He offered to draft a change to 12 AAC 60.300 to include these legal classes. It was suggested that 1 CEU be awarded for attending two or more hours of a Board meeting up to one per year. This could increase public attendance and participation. Dr. Fuller pointed out that this could make trips to Anchorage Board meetings a tax deduction for remote psychologist but the Board could once again consider moving meeting locations if requested.

Dr. DeRuyter called for discussion on regulation changes for supervision, reporting other professionals, and mandatory record keeping.

Dr. DeRuyter stated that current regulations excessively limit technology for post-doctoral or post-masters supervision plans. He suggested that the minimum supervision expectations need to be explained so that license applicants can submit a proposed supervision plan. Mr. Levy also asked what the reasonable responsibilities of a supervisor should be.

Dr. DeRuyter listed the following minimum expectations for supervision:

- 1) At will access to client records.
- 2) Contact Plan. How can an intern reach their supervisor? Mr. Levy asked if supervisors should be certified like LPCs. Dr. Fuller suggested an emergency access to supervisor or alternate supervisor plan be added. Dr. DeRuyter pointed out that this is already allowed since up to 20% of supervision could be by a non-psychologist. They would also need to identify an alternate supervisor.

Agenda Item 7 – Public Comment

No public speakers were present.

Agenda Item Added – AK-PA Comment

Dr. Phillip Baker spoke to the Board telephonically. He briefed the Board on the December 14, 2012 AK-PA meeting and announced the next meeting on the 2nd Monday in February. Some areas that AK-PA is discussing include integrative practices or interfacing with other mental health disciplines. AK-PA supports credential banking to in order to help facilitate license portability.

Dr. Baker stated that he liked the idea of granting continuing education units for attending Board meetings. He also passed on compliments for the recent minutes being posted to the website in a timely manner. He asked what the cost of the next biennial license renewals would be. Mr. Levy answered that the Board would know more after the 3:30 p.m. Budget briefing.

Break at 10:55 am; back at 11:14 am

Agenda Item 8 – Regulation Review (Continued)

Dr. DeRuyter continued listing the following minimum expectations for supervision:

- 3) Establish minimum face-to-face supervision time even for alternate supervision plans using video technologies. The default minimum would be weekly. APA internship allows up to 50% of supervision to be distance supervision. The minimum site visits would be every six months with a mandatory additional site visit with any extension. Dr. DeRuyter added that the initial supervision would need to be onsite. He stated that should allow more people avenues to become licensed while remaining in state. Mr. Levy suggested that at least one session per week be videoed for the supervisor to review. Dr. Wieman suggested that live streaming the session would be even better. Dr. DeRuyter added that all remote supervision must meet current ASPPB and/or APA guidelines. Mr. Levy asked about requesting input from educational and professional organizations but Dr. DeRuyter stated a reluctance to do this since their interests were not necessarily the same as the public. All parties will have an opportunity to comment though. Dr. DeRuyter suggested changing the wording to: and must further comply with current ASPPB and/or APA guidelines. Dr. Wieman agreed that this more in line with the ethics wording.

Mr. Levy asked if the word "all" had been omitted at the beginning of 12 AAC 60.080(9).

TASK: Mr. Marx will ask the Regulation Specialist if this needs changed.

TASK: Board members were assigned different regulation changes to draft.

TASK: Dr. DeRuyter will send all Board members an electronic copy of the APA supervision guidelines.

Dr. DeRuyter discussed mandatory reporting and mandatory records retention in case of death or other unforeseen occurrences. Mr. Levy offered to research current state regulations for records retention.

Additional Agenda Item – Grading State Law & Ethics Examinations

At 12:58 pm Mr. Levy filed a motion to enter into executive session to grade the State Law & Ethics Examinations and to select questions for upcoming examinations. Mr. Muntean seconded.

Back on the record 3:30 pm.

Questions were selected for the April examination. State Law & Ethics Examination dates were set for 8/9/13 and 11/1/13.

Agenda Item 14 – Courtesy License Report

Mr. Marx presented the current matrix of courtesy license monthly reports to the board. There were no concerns at this time.

Agenda Item 9 – Budget

The Board was joined by Division staff Misty Frawley in person and Sara Chambers telephonically. Dr. DeRuyter gave Ms. Chambers the floor to talk about establishing the next biennial license cycle fees. Ms. Chambers stated that following the annual statutory review, the Division would be proposing approximately a \$500.00 reduction in the biennial license fees for psychologist based on the Board currently carrying a surplus.

Mr. Muntean suggested that psychological associate licenses also be reduced to the same level as psychologist since they require similar staff time. He also suggested that the fees be set slightly higher in anticipation of regulation projects, to avoid future fee spikes in case of other unforeseen expenses, and for increased travel like the upcoming ASPPB midyear meeting. Ms. Chambers stated that Ms. Frawley would rerun the numbers based on these concerns.

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

Recess at 4:35 pm

Friday, January 11, 2013

Call to Order/Roll Call

The meeting was called to order at 8:50 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:

Karl Marx, Licensing Examiner

Agenda Item 8 – Regulation Review (Continued)

**Upon a motion by Mr. Levy, seconded by Dr. Wieman and approved unanimously, it was:
MOVED to public notice the following proposed regulation change:**

12 AAC 60.300(c) On or after *(insert date)* nonacademic continuing education programs provided by sponsoring organizations approved by the American Bar Association are approved provided that those programs must contribute directly to the professional competency of a person licensed to practice as a psychologist or a psychological associate and must be directly related to the concepts of psychological principles, ethics, or practices as defined in AS 08.86.230(6).

After some discussion,

**Upon a motion by Mr. Levy, seconded by Dr. Wieman and approved unanimously, it was:
MOVED to public notice the following proposed regulation change:**

12 AAC 60.300(d) On or after *(insert date)* psychologist and psychological associates may claim one hour of continuing education for attending two hours of a regularly scheduled meeting of the Board of Psychologist and Psychological Associate Examiners.

- (1) The individual claiming the continuing education must verify attendance by signing in upon arrival and signing out upon departure.
 - (A) The individual claiming credit will be given a certificate of attendance signed by the licensing examiner and one board member in attendance at the meeting.
- (2) In any given licensing period psychologist and psychological associates may claim a maximum of two continuing education hours for attendance as described above;

Mr. Marx asked if the Board would like to combine this regulation proposal mailing with the anticipated fee change mailing. Dr. DeRuyter answered no, to mail this notice separately.

Break 9:47 a.m. Return 9:58 a.m.

TASK: Mr. Marx will request IT setup a power point projector or equivalent for future meetings.

Agenda Item – 13 Application Review

Dr. DeRuyter discussed allowing staff to use banked credentials from ASPPB National Registry Certificate of Professional Qualification in Psychology (CPQ) to help individuals applying for licensure by credentials.

TASK: Staff will contact the National Registry and initiate this service.

The Board reviewed the following applications:

Mr. Levy stated that he would recuse himself for cause from any discussion or vote on Dr. Kesselring.

Psychologist by Credentials

- Ellen L. Beauchamp
- Michael Villanueva

Psychologist Renewing Lapsed Licenses (automatic CE audit)

- Margaret Beyer
- Rebecca Mitchell

Change of Supervisor

- Michael J. Reed

Audit Review

- John Kesselring

**Upon a motion by Mr. Levy, seconded by Dr. DeRuyter and approved unanimously, it was:
MOVED to approve the change in supervisor for Michael J. Reed.**

**Upon a motion by Mr. Levy, seconded by Dr. Wieman and approved unanimously, it was:
MOVED to approve the renewal CE audits for Margaret Beyer and Rebecca Mitchell.**

**Upon a motion by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:
MOVED to approve Ellen L. Beauchamp's application for licensure by credentials.**

Mr. Levy stated that he would recuse himself for cause from any discussion or vote on Dr. Villanueva.

**Upon a motion by Dr. Fuller, seconded by Dr. Wieman and approved unanimously, it was:
MOVED to approve Michael Villanueva's application for licensure by credentials.**

**Upon a motion by Mr. Muntean, seconded by Dr. Fuller and approved unanimously, it was:
MOVED to accept a non-disciplinary action in the case of John Kesselring's incomplete CE audit.**

Agenda Item 8 – Regulation Review (Continued)

**Upon a motion by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:
MOVED to public notice the following proposed regulation change:**

12 AAC 60.270 (b) Credit will be given as awarded by the agency providing the instruction.

**Upon a motion by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:
MOVED to public notice the following proposed regulation change:**

12 AAC 60.310 INDIVIDUAL STUDY. (a) The number of continuing education credit awarded for completion of a formal correspondence program, videotape program, audio-cassette program, internet, on-line, or other individual study program which requires registration and provides evidence of satisfactory completion will be determined by the board on an individual basis.

Dr. DeRuyter directed staff to add an e-mail line to all applications.

Break 11:39 a.m. Return 11:51 a.m.

Agenda Item 10 – Board Correspondence

1st was a telepsychology survey from ASPPB which was review as a group. Dr. Wieman stated that he feels telepsychology will be commonplace within the decade.

TASK: Dr. DeRuyter will submit both surveys.

2nd was an HIPDB agreement. Dr. DeRuyter signed and returned. Staff can report disciplinary actions if asked.

3rd was from ASPPB asking about offering the EPPP in French.

4th was an advertisement for ethics classes.

Agenda Item 15 – Administrative Business

Sign Travel Authorizations

Travel authorizations were handed out for signatures and returned to Mr. Marx.

Sign 11/12 minutes

**Upon a motion by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:
MOVED to approve the November 8-9, 2012 Board meeting minutes.**

Meeting minutes for November 8-9, 2012 were signed and returned to Mr. Marx.

Define "duty to warn" and "imminent danger"

TASK: Mr. Levy will provide a working definition to Board members for the April meeting.

Supervision best practices

Dr. DeRuyter provided Board members with copies of supervision best practices. This discussion will be continued at the April meeting.

Budget

Mr. Muntean asked for draft language to use when speaking with legislators about the Board gaining more control of their spending. Dr. DeRuyter suggested that Board member request more

discretionary control of the Board budget since licensing boards are cost neutral to the state funds. The Board wishes to maximize educational impact through travel and bringing in out of state experts.

Mandatory misconduct reporting

Dr. DeRuyter was concerned that mandatory reporting may be in conflict with ethics.

Review License Application Forms

Mr. Muntean suggested paying for out of state court view costs for applicants as a way to better protect the public. As an alternate he proposed a statute change that would require applicants to provide criminal justice information reports.

TASK: Staff will add this to the April agenda for further discussion.

Mr. Marx asked about adding an optional \$20.00 frameable wall certificate to application and renewal forms which received Board consensus.

Further Board Discussion

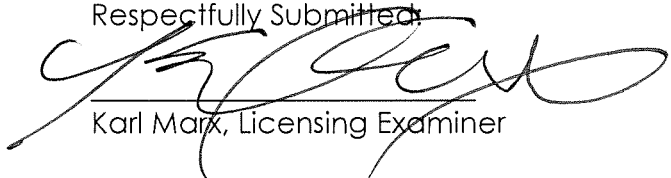
Task: Mr. Marx will ask board chairs, or their representatives, if they would like to be added to the PSY interested parties list from the boards of: Marital and Family Therapy, Professional Counselors, and Social Work Examiners. The interested parties list for a board insures that they will receive meeting agendas and proposed regulation notices.

Task: Mr. Marx will submit travel request for the ASPPB Mid-year conference in Nova Scotia as specifies in the FY 12 Goals and Objectives. The priority of travel will be Mr. Levy, Mr. Muntean, Dr. Fuller, and Mr. Marx in that order.

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

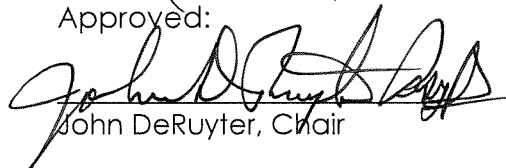
There being no further board business, the meeting adjourned at 1:39 pm.

Respectfully Submitted:



Karl Marx, Licensing Examiner

Approved:



John DeRuyter, Chair

4/19/2013
Date