

**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 3-4, 2009**

By 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 at the Atwood Building, 550 West 7th Avenue, Suite 1860, Anchorage, Alaska on December 3-4, 2009.

Thursday, December 3, 2009

Call to Order/Roll Call

The meeting was called to order by Dr. Bradbury, Chair, at 8:38 a.m. Those present, constituting a quorum of the Board were:

Lorin L. Bradbury, Psychologist, Chair – Bethel
Lisa C. Turner, Psychological Associate – Kenai
Camille O. Carlson, Public Member – Fairbanks

The following members were not in attendance for Roll Call:

Kristi H. Fuller, Psychologist – Anchorage
John DeRuyter, Psychologist – Fairbanks

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

Debora Stovern, Licensing Examiner – Juneau

There were no visitors present.

Agenda Item 1 – Review Agenda

The Board reviewed the agenda for the meeting and made the following changes:

- Add a discussion on courtesy license reporting under Agenda Item 6 – Application Review.
- Add a discussion on denied/pending CEUs under Agenda Item 7 – Reinstatement/CE Audit.
- Add a discussion of the sunset audit under Agenda Item 8 – Goals and Objectives.

- Consider Agenda Item 17 – Regulation Review and Agenda Item 18 – Regulation Changes on Thursday at 1:00 p.m. in place of Agenda Item 9 – State Law and Ethics Exam.
- Review an Investigative letter to Mr. Cook during Agenda Item 10 – Correspondence.
- Consider Agenda Item 9 – State Law and Ethics Exam on Friday at 10:00 a.m. in place of Agenda Item 17 – Regulation Review and Agenda Item 18 – Regulation Changes.

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

MOVED to approve the agenda, as amended.

Dr. Fuller joined the meeting at 8:42 a.m. Dr. DeRuyter joined the meeting at 8:56 a.m.

Agenda Item 2 – Task List

The Board reviewed the task list compiled during the September 24-25, 2009 meeting. The most pressing tasks involved writing new exam questions; those will be discussed during Agenda Item 9 – State Law and Ethics Exam. Also, Dr. Fuller will continue to work on creating a new ethics form.

Agenda Item 3 – Ethics Disclosure

There were no ethics conflicts to report.

Agenda Item 4 – Review Meeting Minutes

The Board reviewed the minutes of the September 24-25, 2009 meeting and noted minor edits and corrections.

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

RESOLVED to approve the minutes of the September 24-25, 2009 meeting, as amended/corrected.

Agenda Item 5 – Investigative Report

Investigator David Newman joined the meeting to review the Investigator's Report he had provided to the Board. He noted that there is one open complaint and two open investigations, with no activity since the last meeting.

The Board also reviewed a memo from the previous Investigator regarding probation monitoring for Case # 2902-06-001. It was noted that the licensee will be completing his probationary period on December 12, 2009.

Upon a motion made by Dr. DeRuyter, seconded by Dr. Fuller, and approved unanimously, it was:

MOVED to enter into executive session in accordance with AS 44.62.310(c)(2) and (3), and Alaska Constitutional Rights to Privacy Provisions for the purpose of discussing investigative matters.

The Board entered executive session at 9:05 a.m.
The Board went back on the record at 9:50 a.m.

At their September 24-25 meeting, the Board had considered the application by Cara M. Peters for licensure as a Psychologist by examination. They had resolved to deny her application; however, the motion was to deny her supervision plan. They reconsidered her application and determined to deny the application based on dishonorable conduct related to her practice.

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

MOVED to deny the application by Cara Peters for licensure as a Psychologist by examination, in accordance with AS 08.86.130.

It was noted that the denial letter that was sent to Dr. Peters had been returned as unclaimed. The Board determined to edit the denial letter to reflect their current action and directed the Licensing Examiner to have the Investigator review the letter prior to sending it.

Agenda Item 6 – Applications

Review applications for licensure

The Board reviewed applications as described below.

The Board declined to take action on the application for Dr. Jo Forsyth because it is incomplete. It was noted that she needs to provide a transcript of her Masters degree and a letter of reference. In addition, she needs to be advised that she may not use the title “Psychologist” until her license has been issued.

Upon a motion made by Dr. Fuller, seconded by Dr. DeRuyter, and approved unanimously, it was:

MOVED to approve Dr. Julieann Pankey’s post-doctoral supervision plan, issue temporary license, and approve to sit for the EPPP and/or state exams.

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

MOVED to approve Dr. Jennifer Hightower’s post-doctoral supervision plan, issue temporary license, and approve to sit for the EPPP and/or

state exams, pending verification that the supervisor of record is licensed to practice Psychology in the State of Alaska.

Upon a motion made by Dr. Fuller, seconded by Dr. DeRuyter, and approved unanimously, it was:

MOVED to approve the application for licensure by credentials for Ellen Lehman.

Upon a motion made by Dr. Fuller, seconded by Dr. DeRuyter, and approved unanimously, it was:

MOVED to approve Dr. Wendy Arundale's verification of post-doctoral supervision hours and issue licensure by examination.

Licensure courtesy license reporting

The Board noted that Professional Regulation 12 AAC 60.035(a) requires individuals holding a courtesy license to submit a monthly report to the board during the period of licensure. The report is to indicate the number of days practiced under the courtesy license during the month, and is to be used to verify that the licensees are in compliance with the limit to practice under the license for no more than 30 days in a 12-month period.

The Board directed the Licensing Examiner to determine if there is a form used for this purpose and to make sure the Division begins requiring this monthly reporting. They determined to add a regular agenda item at each meeting to review those reports.

Agenda Item 7 – Reinstatement/CE Audit

Review continuing education audits

The Board reviewed audit documentation provided by Cecilia Meyer and Steven Parker.

The Board declined to take action on the audit for Ms. Meyer because it is incomplete. It was noted that they had previously requested additional documentation of continuing education courses. The documentation provided does not confirm that the courses were provided by an approved sponsor in accordance with 12 AAC 60.300.

The Board noted that they had previously approved the medical waiver requested by Dr. Parker, in accordance with 12 AAC 60.340(b). The approval had been granted pending documentation of the licensee's medical condition. Dr. Parker provided copies of medical records for Board review.

Upon a motion made by Dr. DeRuyter, seconded by Dr. Fuller, and approved unanimously, it was:

MOVED to approve the medical documents provided by Steven Parker as being compliant with the Board's request for documentation of the

previously approved medical waiver of CEU requirements for his 2007-2009 license renewal.

Review applications for reinstatement

The Board reviewed license reinstatement applications for Bruno Kappes and Lei Lu.

The Board declined to take action on the application for Dr. Kappes because it is incomplete. The Board had previously requested additional documentation of continuing education courses – specifically that the courses were provided by an approved sponsor in accordance with 12 AAC 60.300. They noted that documentation was provided for only 7.5 hours of continuing education, plus 1.5 hours for work as an instructor under 12 AAC 60.320 (this course does not qualify for 20 hours as a publication or presentation under 12 AAC 60.330). No documentation was provided for the other teaching courses listed on the application, which do not appear to qualify as approved courses.

The Board determined that the reinstatement application and documentation of continuing education for Lei Lu was complete.

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

MOVED to approve the reinstatement application for Lei Lu, Psychologist license #562.

The Board directed the Licensing Examiner to update the worksheet used for reviewing continuing education on reinstatement applications.

Agenda Item 17 – Regulation Review

The Board determined that, to the extent possible, they would like to group smaller regulations projects together into packages.

Agenda Item 18 – Regulation Changes

Criteria for Evaluation of Experience

The Board reviewed draft changes to Professional Regulation 12 AAC 60.080 regarding supervised experience. They determined that they do not want to pursue these changes.

Provision for Continuing Education Waiver

During Agenda Item 7 – Reinstatement/CE Audit, there was a question regarding the Board's authority to grant an exemption to CE requirements in emergency cases. The Licensing Examiner reported that she had contacted Cori Hondolero, Licensing Supervisor, who confirmed that such exemptions are authorized under 12 AAC 60.340(b). Although the title of the regulation is "Reinstatement," the relevant section is for license renewals.

Recess for lunch

The Board recessed for lunch at 12:36 p.m.
Revised June 15, 2010

The Board resumed the meeting at 1:25 p.m. All members were present.

Agenda Item 8 – Review Goals and Objectives

The Board reviewed their goals and objectives for Fiscal Year 2010:

Goal 1. The Board will continue to enforce the Psychology Practice Act, as outlined in Objectives A through F.

Goal 2. The Board will continue to ensure the public of continued competency of licensed psychology professionals, as outlined in Objectives A through D.

Goal 3. The Board will continue to ensure the public that persons offering psychological care throughout the State of Alaska are professionally qualified, as outlined in Objectives A and B. They amended Objective B to reflect activities in 2010.

Goal 4. The Board will continue to ensure the public that qualified psychology providers are available, as outlined in Objectives A through D.

Goal 5. The Board will continue to promote high professional standards of psychology practice, as outlined in Objectives A through D.

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

MOVED to approve the Goals and Objectives, as amended.

Discuss sunset audit

The Board's next sunset audit is scheduled for June 30, 2010. Dr. Bradbury had been provided with a preliminary sunset audit report from the Division of Legislative Audit. He noted that the report is not yet public information because it is only a draft.

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

MOVED to enter into executive session in accordance with AS 44.62.310(c)(2) and (3), and Alaska Constitutional Rights to Privacy Provisions for the purpose of discussing the legislative audit report.

The Board entered executive session at 1:50 p.m.

The Board went back on the record at 2:07 p.m.

Agenda Item 10 – Correspondence

Chief Investigator Brian Howes joined the meeting to discuss with the Board a July 15, 2009 letter written by the Investigative Unit to Mr. William Cook. The Board noted that the letter contains incorrect information which was cited as the Board's position.

Revised June 15, 2010

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

MOVED to request the investigative unit draft a letter indicating that their 7/15/09 letter addressed to Mr. Cook was sent in error and that it does not represent the position of the Board.

Mr. Howes agreed to generate the letter from the Investigative unit, to be signed by both he and the Board Chair.

Added Agenda Item – Discuss sunset audit

The Board determined to continue their discussion of the draft legislative audit report.

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

MOVED to return to executive session.

The Board entered executive session at 2:20 p.m.

The Board went back on the record at 2:30 p.m.

Agenda Item 11 – Public Comment

There were no members of the public present. Public comment was closed at 2:45 p.m.

Agenda Item 12 – Licensing Fee Increase

Catherine Mason, the Division Administrative Manger, joined the meeting by teleconference to discuss Board expenditures and how they relate to licensing fees. She explained the types of costs that are charged to the different categories in the budget report. The Board requested that she provide more detailed information for Fiscal Years 2007, 2008 and 2009 for the following categories:

- Personal Services – direct expenses, specifically costs for the Licensing Examiner, the Investigator, or other significant costs.
- Contractual Services – direct expenses, specifically costs for the Department of Law, the Hearing Officer, or other significant costs.

Ms. Mason will provide the information for Board review at their next meeting.

Agenda Item 13 – Criminal Background Checks

The Board had previously discussed requiring criminal background checks for license applicants. It was noted that they had been considering background checks generated by a fingerprinting process, and that they had been informed that they do not have the statutory authority to require that type of check.

The Board was provided with examples of the background check requirements from other Regulatory Boards. Those requirements include an applicant requesting a report of criminal justice information sent from their jurisdiction's authorities directly to the Division, as part of the application process.

Ms. Turner volunteered to draft a similar regulation for Board consideration. The Board determined to return to this agenda item during the Friday meeting.

Agenda Item 14 – ASPPB Annual Meeting

Dr. DeRuyter attended the October 28 – November 1, 2009 annual meeting of the Association of State and provincial Psychology Boards (ASPPB) in Coeur d'Alene, ID. He reported that the meeting included discussions on a number of important issues relating to protection of the public, including:

- Best practice vs. minimal standards.
- Regulations projects tied to a specific danger to the public.
- Research regarding the types of violations that are occurring, and tying that to regulations. It was noted that APA does make those summaries.
- Defining what makes a successful, safe psychologist, then tailoring regulations to that model.

Recess

There being no further business for the day,

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

MOVED to recess the meeting of the Alaska Board of Psychologist and Psychological Associate Examiners, until tomorrow morning at 8:30 a.m.

The meeting recessed at 4:15 p.m., until Friday, December 4, 2009.

Friday, December 4, 2009

Call to Order/Roll Call

The meeting was called to order by Dr. Bradbury, Chair, at 8:33 a.m. Those present, constituting a quorum of the Board were:

Lorin L. Bradbury, Psychologist, Chair – Bethel
John DeRuyter, Psychologist – Fairbanks
Lisa C. Turner, Psychological Associate – Kenai
Camille O. Carlson, Public Member – Fairbanks

The following member was not in attendance for Roll Call:

Kristi H. Fuller, Psychologist – Anchorage

Present from the Department of Commerce, Community and Economic Development,
Division of Corporations, Business and Professional Licensing, was:
Debora Stovern, Licensing Examiner – Juneau

There were no visitors present.

Agenda Item 15 – Alaska Psychological Association

Dr. Phil Baker, Legislative Chair for the Alaska Psychological Association, joined the meeting by teleconference to report on current issues and activities:

- Statute Project: Their lobbyist has been working with the legislative sponsors of the bills that will clarify the licensing exemption for school psychologists and psychologists working for the federal government. House Bill 110 was introduced by Rep. Herron and Senate Bill 8 was introduced by Senator Hoffman during the previous session. It was noted that the Board scheduled their upcoming meeting for February 24-26, 2010 in Juneau so that members may be available to discuss their support of the legislative projects with legislators.
- Use of specialty titles: There was a concern raised by “board certified” practitioners listed on List Serve using titles such as neuropsychologist, pediatric psychologist, or school psychologist. The Board noted that they don’t regulate the use of specialty titles by licensed psychologists. However, the code of ethics requires that appropriate specialty training must be earned before using a specialty title.
- Diversity training: They had asked the Board to consider including Diversity Training to the continuing education required for license renewal. The Board noted that they support such training; however, they are not interested in specifying what types of continuing education are required. Dr. Fuller volunteered to attend the December 7, 2010 Association meeting to participate an informal discussion on this issue.

Agenda Item 9 – State Law & Ethics Exam

Review Past Exam Scores

The Board reviewed the scoring from the September 18 exam administration. They determined that the scoring appeared to be consistent and satisfactory. It was noted that partial points may be granted for partially correct answers.

Edit/Revise Test Questions

The Board determined to review a new test question proposed by Dr. Bradbury, to make corrections as necessary to existing test questions, and to select the questions for the upcoming exams.

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

MOVED to enter into executive session in accordance with AS 44.62.310(c)(2) and (3), and Alaska Constitutional Rights to Privacy Provisions for the purpose of reviewing examination materials.

The Board entered executive session at 9:00 a.m.
The Board went back on the record at 10:25 a.m.

Agenda Item 19 – Information Letter

The Board reviewed a draft letter for previous license applicants to inform them of changes to license requirements and inviting them to reapply if interested. They determined to send the letter to all applicants who have been denied in the past 4 years.

Agenda Item 13 – Criminal Background Checks

The Board had discussed requiring criminal background checks for license applicants and Ms. Turner volunteered to draft a regulation for Board consideration. Based on requirements of other Boards, she proposed the following for all license types for psychologists and psychological associates, by examination or credentials:

- Require a complete report of state criminal justice information under AS 12.62, and
 - (A) if a state, province, or territory other than this jurisdiction is the applicant's primary residence, an equivalent report issued by the other state, province, or territory; and
 - (B) if the applicant holds or has ever held a license to practice psychology in another state, province, or territory, an equivalent report issued by that state, province, or territory.

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

MOVED to make a change to regulations to add the criminal background report requirement as a licensing requirement for applications by psychologist and psychologist associates for licensure by exam, licensure by credentials, temporary licenses, or courtesy licenses.

The Board would like to have the changes drafted by the Regulations Specialist for review and approval at their next meeting.

Agenda Item 16 – CLEAR Conference

Dr. Fuller attended the September 10-12, 2009 annual conference of the Council on Licensure, Enforcement and Regulation (CLEAR) in Denver, CO. She reported that the meeting included board member training and resources for investigators. She also noted that the board member training is available online, for a small fee, for members who were unable to attend.

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

MOVED that all Board members who have not attended the CLEAR conference may take the online Board training offered by CLEAR and the Board would bare the associated cost.

Dr. DeRuyter, Ms. Turner, and Mrs. Carlson expressed interest in taking the online training.

Agenda Item 26 - Administrative Business

Budget Report

The Board reviewed the report on Board expenditures prepared by Catherine Mason, the Division Administrative Manager. There were no further questions for Ms. Mason.

Confirm Meeting Schedule

The board confirmed the schedule for upcoming meetings: February 24-26 in Juneau and May 20-21 in Anchorage.

They also discussed the length of meetings – it was noted that they usually run approximately a day and a half. The Board agreed that it may be more cost-effective to have Board members travel on the morning of the first meeting, have the meeting convene at a late-morning or early-afternoon time, then have them travel home after the meeting adjourns on the second day. However, for the February meeting in Juneau, they would like to have additional time to visit with legislators in support of the bills affecting the Practice Act. They determined to address the issue on a case-by-case basis and make a determination, in consultation with the Division, about scheduling for each meeting.

Wall Certificates

Board members signed wall certificates for Dr. Dennis L. Pilgrim (Psychologist) and Dana E. Hall (Psychological Associate).

Sign Minutes

The Chair signed the minutes from the May 21-22 and the September 24-25 meetings.

Sign TAs and collect receipts

Board members signed Travel Authorization forms and will submit receipts.

There being no further business,

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

**MOVED to adjourn the meeting of the Alaska Board of Psychologist and
Psychological Associate Examiners**

The meeting adjourned at 12:10 p.m.

Respectfully Submitted:

Debra Stovern
Licensing Examiner

Approved:

Dr. Lorin L. Bradbury, Chair
Board of Psychologist and
Psychological Associate Examiners

Date: _____