

**STATE OF ALASKA
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING
BOARD OF PSYCHOLOGIST AND
PSYCHOLOGICAL ASSOCIATE EXAMINERS**

**MINUTES OF MEETING
February 28 – March 1, 2005**

By authority of AS 08.01.070(2) and AS 08.86.030, 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 February 28 – March 1, 2005, beginning at 8:30 a.m. The meeting was held in the Robert B. Atwood Building, 550 West 7th Ave., Suite 1860, Anchorage, Alaska.

Monday, February 28, 2005

Item 1 Call to Order/Roll Call

The meeting was called to order by Carey S. Edney, Chairperson, at 8:35 a.m. There were present, constituting a quorum:

Carey S. Edney, Psychologist, Chairperson
Lorin L. Bradbury, Psychologist
Dr. Miller, Psychologist

The psychological associate and public member positions are vacant.

In attendance from the Department of Commerce, Division of Occupational Licensing, was:

Cynthia Cintra, Licensing Examiner

Item 2 Review/Amend Agenda

The following amendments were made to the agenda:

- Item 9a, Continuing Education Discussion was added by Dr. Edney.
- Item 14c3, Correspondence from ASPPB regarding designation of postdoctoral programs in Clinical Psychopharmacology: latest criteria

On a motion duly made by Dr. Bradbury, seconded by Dr. Miller, and approved unanimously, it was

RESOLVED to approve the agenda as amended.

Item 3 Ethics Disclosure

There were no ethics violations to report.

Item 4 Review/Approve Minutes

After a review of the December 7-8, 2004 minutes, the board made the following changes:

- On page 2, under Item 3, paragraph 2 second sentence, “Dr. Baker also mentioned that the outstanding debt incurred by the Psychology Board and the Board of Professional Counselors is a good reason to combine the boards, as this will bring more applicants to help cover the debt.” This sentence will need to be changed to read, “Dr. Baker also mentioned that the outstanding debt incurred by the Psychology Board and the Board of Professional Counselors is a good reason some individuals feel, to combine the boards, as this will bring more applicants to help cover the debt.” Dr. Baker stressed to the board he was not in favor of the boards being combined.
- On page 10, first paragraph, first sentence, “Dr. Bradbury conducted extensive research on the application of Timothy Burns for Psychologist Associate licensure.” This sentence will need to be changed to read, “Dr. Bradbury conducted extensive research on the application of Timothy Burns for Psychological Associate licensure.”

On a motion duly made by Dr. Miller, seconded by Dr. Bradbury, and approved unanimously, it was

RESOLVED to approve the December 7-8, 2004 minutes as amended.

After a review of the amended September 16-17, 2004 minutes, the board made the following motion:

On a motion duly made by Dr. Bradbury, seconded by Dr. Miller, and approved unanimously, it was

RESOLVED to approve the September 16-17, 2004 minutes as written.

Item 5 Goals and Objectives

The board reviewed the updated Goals and Objectives and made the following amendments:

3B, Activity #1: “OR Mid Winter Meeting to be held in 2005”, will be amended to read: “OR Midwinter meeting to be held in 2005.”

On a motion duly made by Dr. Miller, seconded by Dr. Bradbury, and approved unanimously, it was

RESOLVED to amend the current Goals and Objectives as stated on the record.

Item 6 Old Business

A. Sunset/Legislative Audit The board reviewed the provided information.

After a brief discussion, Dr. Edney stated she would be adding information regarding the Sunset/Audit procedures to the Policy and Procedure Manual.

Dr. Edney also stated that the board should strive to lower renewal fees so they are comparable to other boards, e.g., Medical, Marriage and Family Therapy. She also stated that House Bill 123, "An Act relating to occupational licensing fees and receipts;..." was being actively supported by Dr. Phil Baker, who will discuss this bill in detail when he joins the meeting tomorrow (3/1/05).

The board had a brief discussion regarding the board's extension until 2010. The board was pleased by the extension.

The board had a lengthy discussion on the pros and cons of combining the boards of Marital and Family Therapy and Professional Counselors and what effects this might have on the Sunset/Audit process.

Dr. Edney informed the board she had been asked to testify before the legislature via teleconference regarding the combination of the mental health boards. However, she said that due to technical difficulties, she was never able to provide testimony.

Recess The board recessed at 9:40 a.m., reconvened at 9:56 a.m.

B. Policy & Procedures Manual Dr. Edney said she would incorporate information regarding the Sunset/Audit process into the Policy and Procedure manual for new incoming board members.

The board had no other comments.

C. Supervisor Resource List Dr. Bradbury informed the board that he was checking the current Monitor on Psychology for more supervisor information. Dr. Bradbury stated that the Monitor is an excellent resource. He went on to say he feels the direct supervision is an extremely important issue as bits and pieces, i.e., patient notes, day to day handling of files, etc., slip through the

cracks when you do not have the face-to-face supervision. Dr. Bradbury went on to state that supervisors should have a broad range of diversity and testing information. He went on to say he feels supervisors should know the most current information in the field and be prepared to use it.

Dr. Edney informed the board she had compiled a list of topics and information that should be required for supervisors, i.e., current statute and regulations, ethics, etc. She stated further that there should be a form for supervisors to sign showing they are aware of the responsibility of supervising individuals.

Dr. Edney and Dr. Bradbury informed the board that they were still in the process of compiling information regarding supervising and that this list should be ready for the next board meeting. Dr. Edney also pointed out that the Association of State and Provincial Psychology Boards (ASPPB) has suggested reading lists, check lists, contracts and memos of agreement that would be useful to supervisors.

Dr. Edney suggested to Cynthia Cintra she keep a list of recommended reading materials to send to supervisors. She also said that it would be the supervisor's responsibility to purchase the reading materials.

After a lengthy discussion, Dr. Edney asked that this item be left on the agenda for the next meeting

D. Orientation Packet for Experts and MOA Supervisees The board said it feels that this is a very important issue for MOA supervisors. The board feels that many Memorandum of Agreement (MOA) supervisors must understand for whom they are working for. Supervisors must also understand the definitions of clinical and forensic supervision.

Dr. Edney pointed out that the board cannot know case details as they are the jury for these instances. She continued by saying that there are general bits of information that the board can address. She went on to say that having an MOA signed by a supervisor before they begin providing supervision would help alleviate some of the problems the board has seen arise.

Dr. Bradbury agreed with Dr. Edney, stating that the MOA should spell out what the board would like to see during MOA supervision. Dr. Edney pointed out that the supervisor, supervising someone under a MOA should be written without the board's input, and that only the division's investigator should write the MOA.

Dr. Edney went on to clarify that the board should only be asked to approve a MOA. Dr. Edney said the MOA should contain what, when and why's in order to help supervisors realize the seriousness of supervising individuals who are under a MOA. She also feels that supervisors should understand that contact with the investigative office is extremely important.

The board agreed with Dr. Edney and said it recognized the seriousness of this issue.

This item will be on the agenda for the next board meeting.

E. Standard Language for FAQ's The board listed the following questions for consideration:

What types of licenses are available?

What examination is approved by the board?

How long is an exam(s) score good for?

When can an individual take the exam(s)?

What is a passing score?

What if I fail an exam?

The board is still compiling information and will address this at their next meeting.

On an unrelated matter, the board had a lengthy discussion regarding statutes.

Dr. Edney pointed out to the board that any changes in statutes would be a lengthy process, one which would involve the board recruiting a legislator and a large devotion of time on the board's part.

The board agreed with Dr. Edney, however they agreed to review the current statutes and draft any updates they thought necessary to present at the next board meeting.

On another unrelated matter the board discussed the upcoming June renewal.

Dr. Edney informed Cynthia Cintra that the board used to review all renewal applications and now there are regulations in place that will allow the licensing examiner to review and approve the renewals.

Dr. Bradbury asked what if a continuing education (CE) class did not meet requirements. Dr. Miller stated that there was no list of specific CE courses that met requirements.

Dr. Edney stated that the CE requirements on the renewal forms had been processed on a good faith (e.g. application is notarized by applicant stating the information is true and correct) basis. Dr. Bradbury asked how that system had been working. Dr. Edney informed the board that so far, the system has been fine for most individuals, however, there are those that it does not work for (i.e. duplicates). She went on to inform the board of the CE audit process.

Dr. Edney informed the board and Ms. Cintra that the licensing examiner will still process renewal applications, however, any applications that were questionable the examiner would be excepted to discuss with Dr. Edney, and if need be, the application(s) could be brought to the board for its input.

Recess ***The board recessed at 11:30 a.m., reconvened at 11:50 a.m.***

Item 7 **Public Comment**

There were no individuals in attendance for public comment.

On another topic the board had a lengthy discussion regarding how CE courses receive approval from the American Psychological Association (APA).

Dr. Miller informed the board that course information would be sent to the APA for pre-approval. Cynthia Cintra concurred with Dr. Miller.

Dr. Edney disagreed with Dr. Miller and Ms. Cintra. She went on to explain that APA has a set of guidelines and once an organization, i.e., Alaska Psychological Association (AKPA), receives approval from the APA, any courses that met the established guidelines would be approved.

Dr. Edney went on to ask the board what qualifies as ethics credit. Dr. Bradbury said he would assume that ethics courses in a related field would qualify.

Dr. Miller stated that there should be information provided specifically stating ethics topics would be addressed and how much credit would be given.

Dr. Edney stated she would like to see this topic addressed under FAQ's. Dr. Bradbury stated that most CE courses would state

information regarding ethics credit if any ethics training would be provided.

Dr. Edney expressed concern that individuals may be receiving ethics training that is not directly related to their profession, and if they are, should the board count this as the required CE. She went on to state that 12 AAC 60.260 only stated “professional ethics”, which is a very broad area.

Dr. Bradbury agreed with Dr. Edney, however, 12 AAC 06.290 states...“and must be directly related to the concepts of psychological principles, ethics, or practices as defined in AS 08.86.230(6).” He went on to say he feels that the two regulations are not mutually conclusive and that one meets the requirement for the other. Dr. Bradbury went on to state that if a course guide says the material does not give CE for ethics, then it does not.

Dr. Miller stated that this is not something the board can approve or disapprove, they must follow the criteria set out in regulation. He went on to state that perhaps a regulation project should be started in order to define professional ethics.

Dr. Bradbury disagreed with Dr. Miller, stating that he feels there is no need to clean up regulations regarding ethics.

Recess ***The board recessed at 12:20 p.m., reconvened at 12:35 p.m. for a working lunch.***

On a motion duly made by Dr. Bradbury, seconded by Dr. Miller, and approved unanimously, it was

RESOLVED to adjourn into Executive Session under the authority of AS 44.62.310 to review information provided on case 2902-02-001.

The board adjourned into executive session at 12:36 p.m., and returned from executive session at 12:55 p.m.

Item 8 **Investigative Report** The board was joined by Maggie McQuaid, Investigator.

On a motion duly made by Dr. Bradbury, seconded by Dr. Miller, and approved unanimously, it was

RESOLVED to adjourn into Executive Session under the authority of AS 44.62.310 to discuss the remainder of the Investigative Report.

The board adjourned into executive session at 12:56 p.m., and returned from executive session at 1:40 p.m.

Ms. McQuaid informed the board that Open Cases 2902-04-001 and 2900-04-003 were on going. She went on to thank Dr. Bradbury for reviewing case 2900-04-003. Ms. McQuaid informed the board that an MOA had been served on that case, however, there had been no response as of this date.

Recess ***The board recessed at 1:45 p.m., reconvened at 2:00 p.m.***

Item 9 **Application Review**

The board reviewed four applications; two for licensure by credentials and two for licensure by exam.

On a motion duly made by Dr. Bradbury, seconded by Dr. Miller, and approved unanimously, it was

RESOLVED to approve the post doctoral supervision plans for Francis Lynn Hicks and F. Mark Smedley, issue temporary psychologist licenses, and upon completion of their post-doctoral supervision, both are eligible to sit for the State Ethics exam and EPPP, and upon passing will be issued permanent psychologist licenses.

On a motion duly made by Dr. Bradbury, seconded by Dr. Miller, and approved unanimously, it was

RESOLVED to approve the application for licensure as a psychologist by credentials pending a positive outcome of the “Yes” answers to No. 2 and 4 of the Professional Fitness questions for Gerald M. Rosen.

On a motion duly made by Dr. Miller, seconded by Dr. Bradbury, and approved unanimously, it was

RESOLVED to defer the application for licensure as a psychologist by credentials pending the receipt of a completed Professional Data form and supervision plan satisfactory to the board, which would include face-to-face supervision time, for Jason L. Whipple.

Recess ***The board recessed at 3:55 p.m., reconvened at 4:15 p.m.***

A. Continuing Education Discussion

The board had a lengthy discussion on the qualifications for continuing education credits, specifically ethics. The board

decided to ask Dr. Phil Baker for information later in the day when he joins the meeting (Item 14b).

Item 10 **State Law & Ethics Examination**

- Questions for March 15, 2005 exam
- December exam score sheet review

On a motion duly made by Dr. Bradbury, seconded by Dr. Miller, and approved unanimously, it was

RESOLVED to adjourn into executive session under the authority of AS 44.62.310 to discuss the State Law & Ethics Examination questions for the March 15, 2005 exam and review the score sheet from the December exam.

The board adjourned into executive session at 4:16 p.m., and returned from executive session at 5:05 p.m.

On a motion duly made by Dr. Miller, seconded by Dr. Bradbury, and approved unanimously, it was

RESOLVED to recess the meeting until Tuesday, March 1, 2005 at 8:00 a.m.

Adjourn ***The board adjourned at 5:10 p.m.***

Item 11 **Call to Order/Roll Call**

The meeting was called to order by Carey S. Edney, Chairperson, at 8:20 a.m. There were present, constituting a quorum:

Carey S. Edney, Psychologist, Chairperson
John A. Miller, Psychologist
Lorin L. Bradbury, Psychologist

The psychological associate and public member positions are vacant.

In attendance from the Department of Commerce, Division of Occupational Licensing, was:

Cynthia Cintra, Licensing Examiner

The board requested Maggie McQuaid, Investigator join the meeting for more discussion regarding the investigative report.

Item 12 **Regulation Update** Jun Maiquis, Regulations Specialist, was not able to join the meeting.

A. Courtesy License 12 AAC 60.035

The board reviewed the Application for Psychologist Courtesy License.

After a brief discussion the board called Ginger Morton, Licensing Supervisor, to ask if the professional fitness questions from other Psychologist and Psychological Associate applications could be included on the Courtesy License Application.

Ms. Morton agreed with the board and said she would have the remaining professional fitness questions added to the Courtesy License application.

The board also asked Ms. Morton when the June renewals were due. Ms. Morton informed the board that renewal applications would be sent out approximately 60 days in advance of the June 30, 2005 due date. She also said that the continuing education audits would be sent to individuals 30 days after June 30, 2005.

Dr. Edney stated that the continuing education (CE) list Dr. Sperbeck had made while on the board would be a great template. Dr. Edney went on to tell the board she was concerned with the current CE requirements on the renewals as all an individual must attest to is that they have completed the required hours.

Ms. Morton said she would review the past renewal files and pull the list for Cynthia Cintra to reference. She also went on to say that with regulation changes, the board should have licensees list all information pertaining to CE, i.e., name of course, provider, dates, sponsor, etc. Ms. Morton went on to tell the board that she would work with Dr. Edney in creating a CE listing statement for the upcoming renewal.

The board informed Ms. Morton that the June 2003 renewal was well designed and should be a good reference for the June 2005 renewal.

The board thanked Ms. Morton for her time and help.

Maggie McQuaid, Investigator joined the meeting at 8:40 am. The board will continue Item 12, Regulation Update later in the day.

On a motion duly made by Dr. Miller, seconded by Dr. Bradbury, and approved unanimously, it was

RESOLVED to adjourn into Executive Session under the authority of AS 44.62.310 to discuss the remainder of the Investigative Report.

The board adjourned into executive session at 8:45 a.m., and returned from executive session at 9:05 a.m.

Recess ***The board recessed at 9:06 a.m., reconvened at 9:25 a.m.***

Item 12 **Regulation Update con't.**

B. Public Notice of 12 AAC 60.010(a)(7), 60.20(a)(3), 60.080(a)(3)(A), 60.990(a)

The board reviewed information provided from Jun Maiquis, Regulations Specialist.

C. Suggested regulation change 12 AAC 60.160 (Reexamination)

The board reviewed the regulation change proposed by Ginger Morton, Licensing Supervisor. This regulation change would effect the reexamination process of the State Law and Ethics exam.

On a motion duly made by Dr. Miller, seconded by Dr. Bradbury, and approved unanimously, it was

RESOLVED to approve the recommended regulation change to 12 AAC 60.160 as follows: (d) An applicant who fails the State Law and Ethics Examination and who wishes to be reexamined must submit a written request and the fee established in 12 AAC 02.330 to be received by the division at least 30 days prior to the next scheduled examination.

Item 13 **New Business**

A. Advertising for new board members

Cynthia Cintra informed the board that advertising was not allowed and any public noticing of vacant board positions was the responsibility of the Governor's Office, Board's and Commissions.

B. Draft letter to Governor regarding public member vacancy

Cynthia Cintra informed the board that after checking with Ginger Morton, Licensing Supervisor, any letter written to the Governor should be done by the board.

Dr. Edney said she would draft a letter.

C. Draft letter to MOA Supervisors

Cynthia Cintra informed the board she was still in the process of drafting a letter to MOA Supervisors.

Dr. Edney informed the board she would try to work on a draft letter as well.

D. Teleconferencing for state exam questions

Cynthia Cintra told the board that after checking with Ginger Morton, Licensing Supervisor, and checking the cost of teleconferencing including advertising, this would not be a cost-effective solution.

E. Letter to Attorney General's office regarding adding additional fees to licenses

The board decided this was a moot point, as they have no control deciding application fees.

F. Photographs on applications

The board reviewed the memo from Ginger Morton, Licensing Supervisor and had a lengthy discussion on the photograph requirements.

Dr. Miller stated that for the purposes of identification and ongoing issues with identity theft, a picture on the application is a nice source of identification. Dr. Edney and Dr. Bradbury were in agreement with Dr. Miller

Dr. Bradbury said that until the courts say a picture cannot be required, the board should continue to ask for the photograph.

On a motion duly made by Dr. Miller, seconded by Dr. Bradbury, and approved unanimously, it was

RESOLVED to continue to request photos be attached to applications for purposes of identification.

Dr. Phil Baker, Legislative Affairs/AK-PA, joined the meeting at 10:00 a.m.

Item 14 **Administrative Issues** Jennifer Stickler, Administrative Manager joined the meeting at 10:01 a.m.

A. Budget Report. The board reviewed the budget report. Dr. Edney asked the board to review her letter to Legislative Audit regarding the board's sunset/audit review.

The board decided, depending on Jennifer Stickler, Administrative Manager's response to a fee increase, they would write a letter to the Department Commissioner supporting his statement asking for NO fee increase. The board said it fears if a fee increase is implemented it would lose people in the profession.

Dr. Edney asked Ms. Strickler when fees are established for the June renewal and would it be possible, if fees were raised, to pay off the board's debt with the June 2005 renewal.

Ms. Strickler responded to Dr. Edney, that renewal fees will be established in April. She went on to say the information would be sent to Cynthia Cintra and she in turn would forward it to the board. She said further that the board is making progress on its debt and she would use the advice from Commissioner Blatchford. Ms. Strickler went on to say the audit report shows the board is making steady progress on its debt considering the low amount of individuals in the profession.

Dr. Bradbury asked Ms. Strickler if the fees do not increase, will they stay at the same amount?

Ms. Strickler responded that yes, the licensing and renewal fees would continue to remain at \$975 for psychologist and \$700 for psychological associates.

Dr. Edney expressed hopes that the board's legal debt will be paid in full by 2007.

Dr. Bradbury asked Ms. Strickler what the chances were for reducing costs.

Ms. Strickler informed the board she would be happy to share her budget proposals with it via Ms. Cintra.

The board thanked Ms. Strickler for her time.

B. Dr. Phil Baker, Legislative Affairs/AK-PA

Dr. Phil Baker gave the board a brief update on House Bill (HB) 123. He said the bill would be introduced later in the week and he would like to add a statute allowing CPQ information in regulations. Dr. Baker went on to say he and Dr. Edney might be providing testimony. Dr. Baker also stated if the bill receives opposition, it will still move forward in the legislative process.

The board then discussed statute projects with Dr. Baker. Dr. Bradbury expressed interest in cleaning up statues with the help of AK-PA.

The board and Dr. Baker discussed issues with current statutes. After a lengthy discussion the board decided to seek help from AK-PA to begin a statute update at a later date. Dr. Baker said he believes this would be workable as AK-PA and the board could combine objectives and make a task force.

Dr. Edney asked Dr. Baker for information on how AK-PA sets up conferences that offer CE and how this is done.

Dr. Baker informed the board that AK-PA was already on the approved CE provider's list issued through the American Psychological Association (APA), so any CE offered is "preapproved". He went on to elaborate, that after a conference is held; an information packet is sent to the APA. This packet includes pamphlets, agenda, speakers, topics covered, etc. He also stated that an organization providing CE for the first time must usually receive APA approval in advance.

The board asked Dr. Baker for information on how a CE course would break the CE's down specifically into ethics credit.

Dr. Baker responded that unless a course specifically stated a certain number of hours would be devoted to ethics training, there would be no credit given for ethics.

On an unrelated subject, Dr. Baker informed the board that for health reasons Deborah Mohn, AK-PA, had left Alaska.

Dr. Phil Baker left the meeting at 10:47 a.m.

Recess The board recessed at 10:48 a.m., reconvened at 11:04 a.m.

C. Correspondence Review. The board reviewed correspondence from the Association of State and Provincial Psychology Boards (ASPPB).

1. Letter from ASPPB

The board reviewed correspondence from ASPPB regarding ASPPB Certificate of Professional Qualification in Psychology (CPQ)

2. Invitation to Comment Survey for proposed EPPP Online Application Processing System

The board reviewed the provided information and decided that Cynthia Cintra would complete the survey and return to Professional Exam Services (PES).

3. ASPPB correspondence

The board then reviewed correspondence from the ASPPB regarding designations of postdoctoral programs in clinical psychopharmacology.

D. Schedule Next Meeting. The board tentatively scheduled the next meeting for June 16-17, 2005, in Anchorage.

The board asked that the meeting begin at 10:00 a.m. on the first day to allow adequate travel time for purpose of same day travel, and start day two of the meeting at 8:00 a.m.

On a motion duly made by Dr. Bradbury, seconded by Dr. Miller, and approved unanimously, it was

RESOLVED to schedule the next board meeting for June 16-17, 2005 in Anchorage.

E. Sign Wall Certificates/Minutes Dr. Edney signed the September 16-17, 2004 and December 7-8, 2004 minutes.

There were no wall certificates to sign.

On a motion duly made by Dr. Bradbury, seconded by Dr. Miller, and approved unanimously, it was

RESOLVED to adjourn the meeting.

Adjourn ***The board adjourned at 11:37 a.m.***

Respectfully submitted:

Cynthia Cintra, Licensing Examiner

Approved:

John A. Miller, Ph.D., Chairperson
Board of Psychologist and Psychological
Associate Examiners

Date: _____