

[] Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
November 15, 2013

CALL TO ORDER

The Arkansas Psychology Board meeting was called to order by the Chair, Dr. Edward Kleitsch, at 10:15 AM.

ROLL CALL

Board Members present: Ms. Dixie Bryson, Dr. James Fuendeling, Ms. Gloria Gordon, Mr. Skip Hoggard, Dr. Edward Kleitsch, Dr. Lisa McNeir, Dr. Kevin Reeder, and Dr. Gary Souheaver.

Staff Members present: Mr. James Ammel, Ms. Amy Ford, and Ms. Maggie Sponer.

Staff Members excused: Ms. Sheila Pauley

Guests present: Dr. Gillaspay and Ms. Melanie Haislip

APPROVAL OF AGENDA

Dr. Fuendeling made a motion to approve the agenda. Dr. Souheaver seconded the motion. The motion passed unanimously.

APPROVAL OF PAST MINUTES

Dr. Souheaver made a motion to approve the October 18, 2013 Board Meeting Minutes after grammatical corrections. Dr. Fuendeling seconded the motion. The motion passed unanimously.

REPORT FROM THE COMPLAINT COMMITTEE

NOTE: There were no reports made to the Board in September or October due to pendency of all current matters, although partial Screening Committee meetings were held both months.

12-13 BOARD DECISION/ADVISORY ITEM

UPDATE: The Board was advised that, after further internet research, it appeared it was correct in considering the Woodcock-Johnson Test of Cognitive Abilities was definitely a psychological measurement instrument, as was likely the Woodcock-Johnson Tests of Achievement even though the Department of Education/Special Education Division's

regulations indicate that teachers and counselors are qualified to administer (and, seemingly, interpret) achievement tests without specifying any particular measurement instrument). Accordingly, the Board was advised that the only available procedure was to refer this matter to the local (Pulaski and Conway) county prosecutors for the charge of unauthorized and unqualified practice of psychology without a license (as to administration of these tests by individuals not licensed by APB). After discussion of the frequency of such prosecutorial referrals (extremely infrequent in the last 20 years) and the results thereof (non-action by a prosecutor from any such previous referral; akin to “tilting against windmills”) the Board adopted its own motion that such a referral should remain tabled indefinitely at this time. Instead, the Board adopted its own motion to notify the Respondent’s “interpreting” psychological examiners that their practice in that regard (i.e., their current practice of interpreting Woodcock-Johnson tests results derived from administration by unqualified test-administrators, analogous to the former computer analogy of “garbage in, garbage out”) was not in accordance with the scope and authority of their licenses and which were therefore being put in jeopardy by that practice. Such Examiners have no authority to supervise bachelor’s level test administrators and the latter are not subject to registration with APB similar to the law-authorized neuropsych technicians. Such notifications will be disseminated in December (or ASAP) upon location of each Psychological Examiner (the Respondent’s attorney will be copied with such PE notifications). The remainder of this file will remain open pending further decisions of the Board.

13-03 [Rec’d 05/20/13] BOARD DECISION/ADVISORY ITEM

COMPLAINANT: A non-custodial mother had been court-ordered into psychological treatment with the father and son at the time that complainant’s visitation had been suspended. A specific psychologist to provide those services was named in the court-order, and that order also indicated that recommendations (presumably about visitation, although the order was not specific in that regard) were to be made to the attorneys involved (rather than to the court, itself). Complainant referenced her belief that a number of APA Standards had been violated in the service delivery (which transpired from January through May 2012), including 3.04 (Avoiding Harm), 3.05 Multiple Relationships, 3.06 (Conflict of Interest), 3.1(c) (Informed Consent), 5.01 Avoidance of - False or Deceptive Statements), 10.02(a&b) (Therapy Involving Couples or Families), and 10.1(c) (Termination of Therapy). Complainant has yet to have visitation with her teenage son since visitation was terminated in 2011 prior to the commencement of services involved herein.

RESPONDENT: A psychologist who had, prior to the court-ordered appointment for provision of family reconciliation therapy, had been providing individual therapeutic services to the son at the behest of the custodial father since 10/18/11. The first court-ordered family session was held on 01/30/12. Respondent asserts that throughout all of the court-ordered sessions (7 in number), the son was always identified as the client. In the second session (2/15/12), Respondent admits being presented with a copy of the court-order, yet Respondent continued to provide such family counseling services for five (5) additional sessions. Respondent never issued an unequivocal recommendation that

visitation should be restored with Complainant (although Complainant alleges that such a recommendation was promised during a number of the latter sessions) before the therapeutic relationship was suspended (and Respondent never clearly advised the court why such services were terminated despite Complainant's clearly requested confirmation since she was under a complaint allegation of suspending services by Respondent. Therapy sessions were recorded by Complainant at Respondent's permission until the last session on 5/17/12 (that session was also recorded, at least in part, by Complainant). Therapeutic relationships between Complainant and Respondent steadily deteriorated until Respondent consulted an APA Trust official who apparently advised Respondent to cease any attempt to provide recommendations, ending in the last session of 5/17/12 wherein Respondent recommended the parties seek an independent forensic evaluation by another psychologist and provided a listing of potential providers.

COMMITTEE RECOMMENDATION: Although most of Complainant's alleged violations appeared to be inapplicable to the facts of this case, the first 2 referenced Standards hereinabove (3.04 and 3.05) are believed to have sufficient evidence to warrant a finding of probable cause that ethical standards have been violated. Accordingly, the Committee recommended a negotiated Consent Order containing the admission of violations of Standards 3.04 and 3.05 with the sanctions of a Letter of Reprimand and a \$500 fine to partially recoup the costs of investigation of this matter (such fine being less than twice the current hourly-rate amount). The Board adopted that recommendation. Subsequently, the Board on that date had considerable discussion about the problem of "Multiple Relationships" constantly recurring (particularly in regards to domestic relations legal disputes) and considered several avenues of continuing education for remedy of these misunderstandings by the licensees. Accordingly, without Board approval but by unanimous consent of its Screening Committee, the latter decided to add an additional potential negotiable sanction of at least one (1) hour of continuing education for Respondent in the specific topic of multiple relationships (subject to Board's rescinding of that sanction). A proffer letter of settlement via Consent Order will be disseminated to Respondent in December 2013.

OLD BUSINESS

Dr. John Hall submitted a response letter regarding Ms. Julia Englund's Pre-Doctoral Internship explaining the description of the Internship, the role of each supervisor, the level of didactics, and how supervision will be documented. Dr. Souheaver made a motion to approve Ms. Englund's Pre-Doctoral Internship. Mr. Hoggard seconded the motion. The motion passed unanimously.

Mr. Jeremy Jinkerson submitted documentation of coursework in the area of Psychoeducational Assessments in order to be granted Independent Status. Dr. Souheaver made a motion to grant Mr. Jinkerson Independent Status. Ms. Bryson seconded the motion. The motion passed unanimously.

Dr. Angela Perea submitted a new Supervision Agreement and Plan, indicating Dr. Susan Shackelford as her New Primary Supervisor. Mr. Hoggard made a motion to approve the request. Ms. Bryson seconded the motion. Dr. Fuendeling abstained. The motion passed.

NEW BUSINESS

Dr. Gillaspay approached the Board to discuss the ability for Psychology Interns, in formal Internship program, to be able to bill Medicaid for services. In the past, the Psychology Interns were able to become Provisionally Licensed as Applicant Examiners in order to bill Medicaid. However, due to the sun setting of the Licensed Psychological Examiners, this is no longer an option for Psychology Interns. Dr. Gillaspay notified the Board that the Medicaid office needs documentation that the Arkansas Psychology Board recognizes the Interns. Dr. Gillaspay stated that Arkansas is not the only state having this issue. Dr. Kleitsch recommended that the Arkansas Psychology Board create a letter stating that if the Internship program is APPIC or APA approved or seeking accreditation, then the program meets the criteria in §5.4 of the Rules and Regulations. Dr. McNeir was appointed as the liaison between the Board and ArPA.

Ms. Melanie Haislip approached the Board to discuss the advantages to cash in state treasury fund. Ms. Haislip explained the cost reduction benefits, payment flexibility, and conveniences to the Treasury Fund. One advantage is the ability to process payments faster and not having to process physical checks. Dr. Kleitsch suggested tabling this decision until next month when they could discuss this with the Executive Director.

Ms. Paula Sartin approached the Board to discuss the circumstances regarding her application as an Applicant Examiner. Dr. Souheaver made a motion to review the Tennessee Rules and Regulations for licensure when Ms. Sartin was originally licensed and then a Board Member could come in to review her application. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Personnel Committee

Dr. Souheaver informed the Board that the Personnel Committee had no meeting and no report for the month.

Treasurer's Report

Mr. Hoggard notified the Board that all bills have been paid and the bank account is balanced.

Director's Report

The Director's Report was tabled this month due to Ms. Pauley's absence.

Recess/Reconvene

The Board recessed for lunch at 11:55 AM.

The Board reconvened at 12:40 PM.

Board Business

Begin Accruing 3,000 hours towards Independent Status

Ms. Chancy Bethea submitted a Supervision Agreement and Plan with Dr. Kenneth Counts to begin accruing the 3,000 hours necessary to obtain Independent Status. Mr. Hoggard made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Mr. Collin Davies submitted a Supervision Agreement and Plan with Dr. Susan Sobel to begin accruing the 3,000 hours necessary to obtain Independent Status. Dr. Fuendeling made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Ms. Kim Hart submitted a Supervision Agreement and Plan with Dr. Brad Williams to begin accruing the 3,000 hours necessary to obtain Independent Status. Dr. Souheaver made a motion to approve the request. Dr. McNeir seconded the motion. The motion passed unanimously.

Ms. Mary Lajeunesse submitted a Supervision Agreement and Plan with Dr. Chrystal McChristian to begin accruing the 3,000 hours necessary to obtain Independent Status. Dr. Souheaver made a motion to approve the request. Ms. Bryson seconded the motion. The motion passed unanimously.

Ms. Wendy Newsam submitted a Supervision Agreement and Plan with Dr. William Cochran to begin accruing the 3,000 hours necessary to obtain Independent Status. Dr. Souheaver made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Toni Thomas submitted a Supervision Agreement and Plan with Dr. Angela Sanders to begin accruing the 3,000 hours necessary to obtain Independent Status. Dr. Souheaver made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Sarah Umphries submitted a Supervision Agreement and Plan with Dr. Susan Sobel to begin accruing the 3,000 hours necessary to obtain Independent Status. Dr. Souheaver made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Mr. Patrick Wells submitted a Supervision Agreement and Plan with Dr. Sandra Billie to begin accruing the 3,000 hours necessary to obtain Independent Status. Mr. Hoggard made a motion to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Completion of 3,000 hours towards Independent Status

Mr. Haden Shepherd submitted the Licensee Completion Forms and a new Statement of Intent PE – Independent Practice for consideration. Dr. McNeir made a motion to grant Independent Status to Mr. Shepherd. Ms. Bryson seconded the motion. The motion passed unanimously.

Extension of Provisional License

Dr. Stephanie Nevin submitted a letter to the Board for consideration requesting an extension of her Provisional License to complete her Post-Doctoral hours until January 2014. Dr. Fuendeling made a motion to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Letters from Licensees

Dr. Nathan Denny submitted a letter requesting notification as to whether he may provide supervision as a Provisional Licensee. Dr. McNeir made a motion to notify Dr. Denny that the Board cannot grant Supervisory Status until he first becomes fully licensed and then applies for Supervisory Status. Dr. Souheaver seconded the motion. The motion passed unanimously.

Statement of Intent revisions

Dr. Andrew Cohen submitted a new Statement of Intent adding the population of Adults, along with his experience in the population. Dr. Souheaver made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Mr. Michael Marsden submitted a new Statement of Intent adding Projective Tests as an area of practice that will be supervised by Dr. Ed Stafford. In addition, Mr. Marsden submitted a Supervision Agreement and Plan indicating Dr. Ed Stafford as his New Primary Supervisor. Dr. Souheaver made a motion to approve both requests. Dr. McNeir seconded the motion. The motion passed unanimously.

Supervision Agreement and Plan

Mr. James Carpenter submitted a Supervision Agreement and Plan indicating Dr. Ronald McInroe as his New Primary Supervisor. Dr. McNeir made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Ms. Marielle Falki submitted a Supervision Agreement and Plan indicating Dr. Charles Spellman as her New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Dr. McNeir seconded the motion. The motion passed unanimously.

Ms. Karen Rineheart submitted a Supervision Agreement and Plan indicating Dr. Glen Lowitz as her New Primary Supervisor. Dr. McNeir made a motion to deny the request based on the fact that Ms. Rineheart failed to remove “Other” as an area of practice from her Statement of Intent. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Dr. Karin Vanderzee submitted a Supervision Agreement and Plan with Dr. Josh Cisler. Dr. Souheaver made a motion to deny the request until Dr. Vanderzee indicates if Dr. Cisler is a New Primary or New/Additional Secondary Supervisor. Ms. Bryson seconded the motion. The motion passed unanimously.

Supervisory Status request

Dr. Josette Cline submitted a request, along with all the appropriate documentation, for Supervisory Status to the Board for consideration. Dr. Souheaver made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

CREDENTIAL REVIEWS

1. Dr. Rebecca Aldea, Dr. Loriann Balk, Dr. Hilary Casner, and Dr. Byron Simoneaux’s credentials were presented to the Board for approval as Applicant Psychologist Provisional Licensees. The Credential Review Committee made a fully seconded motion to grant Provisional Licensure.
2. Dr. William Fulliton’s credentials were presented to the Board for approval as an Applicant Senior Provisional Licensee. The Credential Review Committee made a fully seconded motion to grant Provisional License.
3. Ms. Paula Miller, Mr. Phil Seyer, and Ms. Melanie St. Clarie’s credentials were presented to the Board for approval as Applicant Examiner Provisional Licensees. The Credential Review Committee made a fully seconded motion to grant Provisional License.

Recess/Reconvene

The Board recessed at 1:20 PM.

The Board reconvened at 1:29 PM.

QUARTERLY REPORTS

The Credential Review Committee made a full seconded motion to approve the following Quarterly Report forms:

1. Dr. Russell House's Quarterly Reports for the period of June 6, 2013 – September 13, 2013.
2. Dr. Heather Martens' Quarterly Reports for the periods of February 15, 2013 – August 15, 2013.
3. Ms. Megan Revada's Quarterly Reports for the periods of April 1, 2013 – June 30, 2013 and July 1, 2013 – September 30, 2013.
4. Dr. Kathy White's Quarterly Reports for the period of June 22, 2013 – September 22, 2013.

Dr. Iryna Kasi's Quarterly Reports for the period of June 16, 2013 – September 15, 2013 were not approved. The Quarterly Reports indicated that the total number of hours of supervision you received was six (6) hours of Individual supervision and three (3) hours of group supervision per week. The letter dated September 21, 2012 stated that according to Dr. Kasi's Supervision Agreement and Plan, dated July 1, 2012, she shall have individual face to face supervision for one (1) hour per week. The Credential Review Committee made a fully seconded motion to send Dr. Kasi a letter asking her to correct these inconsistencies in the next quarter.

Dr. Fuendeling made a motion to allow Board staff to use annual time to take leave the week of Christmas. Dr. Souheaver seconded the motion. The motion passed unanimously.

ADJOURN

Dr. Souheaver made a motion to adjourn. Dr. McNeir seconded the motion. The motion passed unanimously. The Board adjourned at 1:35 PM.