

Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Room
December 19, 2003

CALL TO ORDER

The meeting was called to order by Dr. John Stephen Holt, Chair, at 9:15 a.m.

Board Members present: Dr. E.O. Ballard, Dr. Betty Davis, Dr. Russell Dixon, Dr. Sabra Hassel, Mr. Larry Lawrence, Dr. Stephen Shry, and Dr. Michael Wyrick.

Staff Members present: Mr. James Ammel, Mr. Asheton Carter, Ms. Janet Welsh, and Ms. Rebecca Wright.

Guests present: Ms. Cheryl Dees – Dees Court Reporting, Ms. Karen Diner – Attorney General's Office Hearing Officer, Dr. Robert Doyle, Ms. Elizabeth Glenn, Ms. Stacie Potratz, and Dr. Robbie Thomas-Knight.

Meeting Agenda

Dr. Stephen Holt welcomed new Board member Dr. Sabra Hassel.

Dr. Holt presented the agenda. Dr. Michael Wyrick made a motion to approve the agenda. Dr. Stephen Shry seconded the motion. The motion passed unanimously.

Minutes

Dr. Holt presented the November 7, 2003 minutes. Dr. Wyrick moved to accept the minutes. Dr. Russell Dixon seconded the motion. Dr. Hassel abstained. The motion passed.

DISCIPLINARY HEARING #01-14

Ms. Karen Diner began the proceedings. William F. Blackerby, Ph.D., Respondent, was absent from the proceedings. Mr. Asheton Carter, Attorney-at-Law, presented the exhibit list. There were no objections to the exhibits being presented in a collected form. Mr. James Ammel was sworn in as a witness. After the proceedings, the Board deliberated and made two motions. Dr. Wyrick made a motion that all evidence supported the allegations against Dr. Blackerby. Mr. Larry Lawrence seconded the motion. The motion passed. Dr. Wyrick moved that Dr. Blackerby's license be revoked immediately due to no response to correspondence and admitting that he had participated in misconduct and to prohibit Dr. Blackerby from reapplying for licensure in Arkansas for three years. Dr. Davis seconded the motion. Mr. Lawrence called the question. The

motion passed. Dr. Holt and Dr. Shry recused themselves. Dr. Ballard was absent from the proceedings.

Ms. Diner stated that the Board's decision would be reduced to writing. The Respondent has a right to appeal the Board's decision.

Ms. Diner concluded the proceedings and closed the hearing.

COMPLAINT COMMITTEE REPORT

Mr. James Ammel presented the action item complaint reports with a motion to accept case recommendations.

Complaint #01-01-Advisory: The Screening Committee recommended at the 9-19-2003 Board meeting that it would appropriate to procure an "expert's" opinion on the validity of the interpretations and opinions expressed by the Respondent in the evaluation report regarding the Complainant in comparison with the actual test data, believing that there are significant discrepancies existing regarding a number of interpretative statements not substantiated by the data and actually contradicted by the provided data. The Board authorized that solicitation and the opinion was obtained, resulting in a screening determination that the aforereferenced Standards were conceivably violated. The Screening Committee is recommending that a hearing be conducted on the 3-19-2004 Board meeting date.

Complaint #03-09: The Screening Committee found no substantiation of the alleged pertaining to impermissible LCSW-supervision of psychological licensees. Similarly, it found no substantiation of the allegation pertaining to a law violation in the testing being conducted by Respondent without psychologist supervision, considering such testing to be within the specific exception for examiner practice in the supervision provisions. The Screening Committee did, however, consider the use of the pre-printed form "Psychologist's Reports" to be a technical violation of the "use of title" provisions in the licensing law and regulations. It also considers the performance of providing individualized behavior modification recommendations to be "treatment planning" necessitating supervision by a psychologist. The Committee does not consider these law violations to be an intentional attempt by Respondent to circumvent the provisions of the law and implementing recommendations. It therefore recommends that a Consent Order be proposed that would involve a "letter of caution" being issued to Respondent and requiring Respondent's agreement to alter the pre-printed form to strike the term "Psychologist's" from its heading title and footer (substituting "Psychological" as an appropriate alternative) and procurement of a psychologist supervisor for supervision of the treatment planning functions being performed. The motion was seconded. Dr. Wyrick called the question. The motion passed unanimously.

OLD BUSINESS

Report from Interim Study Committee

Dr. Davis and Dr. Dixon reported to the Board that they attended the Interim Study Committee meeting on 12-12-2003. Dr. Holt, Mr. Dwight Sowell, and Ms. Janet Welsh were present as observers. Dr. Dixon stated that the ideas mentioned included a registry for unlicensed technicians, a need for supervisors for the technicians, to use ASPPB guidelines, the technicians to undergo a background check, the employer submit a written disclosure to patients that a technician is unlicensed, to define neuropsychology, and to require a minimum amount of education from technicians.

Dr. Dixon moved that the Board have no position on the issue of independent practice by Psychological Examiners. Dr. Shry seconded the motion. The motion passed unanimously.

Pacifica University

Dr. Wyrick stated that he would present his report on Pacifica University at the January 16, 2004 meeting.

Postgraduate School Neuropsychology Program

The Board does not pre-approve programs. Mr. Lawrence made a motion that upon review of the information provided, the program appears to meet or exceed the requirements to practice neuropsychology in Arkansas and that a letter of follow up, stating that the Board is not providing pre-approval of the program, be sent. Dr. Wyrick seconded the motion. Dr. Shry called the question. The motion passed unanimously.

Dr. Anna Clark: Request for CEU Reporting Extension

Dr. Anna Clark contacted the Board in writing asking for an extension for reporting her CEUs. She then contacted the Board at a later time, in writing, asking for forgiveness of CEUs. Dr. Dixon made a motion to grant the requested extension of CEUs and to inform Dr. Clark that any coursework completed in remediation with previous dealings of the Board is not admissible. Dr. Wyrick seconded the motion. Mr. Lawrence called the question. The motion passed unanimously.

Additional Office Space

Ms. Welsh reported that the room adjacent to the office would provide more space that could be beneficial to the Board. Ms. Welsh stated that an offer of \$8 per square foot, including superficial improvements, was accepted. The rate will increase after 6-30-2005 to \$12 per square foot.

NEW BUSINESS

Ethics Committee Chair

Dr. Holt stated that the responsibility of being the Board chair and the Ethics Committee chair together could be difficult. Dr. Holt offered to continue as the Ethics Committee Chair until he is reappointed to the Board or a new appointment has been made. Discussion followed. Dr. Dixon made a motion to separate the Ethics Committee Chair from the Board Chair. Dr. Shry seconded the motion. Dr. Dixon made an amendment to add that the Ethics Committee Chair hold the position for one year, concurrent with the vote for the Board Chair. Dr. Shry seconded the amendment. Dr. Wyrick called the question. The motion passed unanimously.

Passing of the Gavel

Dr. Holt passed the gavel to Dr. Dixon, the CY2004 Chair of the Board.

ADJOURN

There being no further business, the meeting was adjourned.