

Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Room
March 18, 2005

CALL TO ORDER

The meeting was called to order by Dr. Stephen Shry, Chair, at 9:20 a.m.

Board Members present: Dr. Betty Davis, Dr. Russell Dixon, Dr. Sabra Hassel, Dr. Bettye Hoffman, Mr. Larry Lawrence, Mr. Dwight Sowell, and Dr. Michael Wyrick.

Staff Members present: Mr. James Ammel, Ms. Amy Ford, Ms. Janet Welsh, and Ms. Rebecca Wright.

Guests present: Ms. Elizabeth Glenn, Dr. Gary Souheaver, and Ms. Angela Stormo.

Meeting Agenda

Dr. Shry presented the agenda. Ms. Janet Welsh requested to add INA fees and Dr. Carl Reddig's request for internship approval under New Business. Dr. Sabra Hassel requested to add an item concerning the October 2004 ASPPB meeting in Atlanta. Dr. Michael Wyrick made a motion to accept the amended agenda. Dr. Hassel seconded the motion. The motion passed unanimously.

Minutes

Dr. Shry presented the February 18, 2005 minutes. Mr. Dwight Sowell made a motion to approve the minutes. Dr. Wyrick seconded the motion. Dr. Russell Dixon called the question. Dr. Dixon abstained. The motion passed.

Dr. Shry commented that as the Chair of the Board, he always talks to the staff and to the Assistant Attorney General before any action that he takes. He stated that at the February 18, 2005 meeting, he had done so before playing the February 1, 2005 teleconference meeting tape. Dr. Shry stated that at that time, he and the staff had been informed by the Assistant Attorney General that any transcripts and any drafts were not available under the Freedom of Information Act (FOIA). He stated that the Chair is in a position to lead and to follow protocol and that he was following these steps.

Ms. Amy Ford, Assistant Attorney General, stated that her original advice was that transcripts and drafts were not available under the FOIA. After further research, she realized the error and notified the Board staff immediately. She stated that all paperwork in the Board office is subject to the FOIA.

COMPLAINT COMMITTEE REPORT

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

Complaint #04-02 Action: The Board has scheduled a formal hearing in this case for April 14, 2005.

Dr. Hassel asked that the April 14th hearing be moved to 10:00 am. Ms. Ford stated that she would talk to the parties involved to try to change the time.

Dr. Dixon stated that he would recuse himself from the hearing.

Complaint # 04-13 Action: As to the first allegation, a non-custodial parent has no right to participate in therapy treatment of a minor that has been arranged by a custodial parent; therefore, there is no ethical or legal violation involving that alleged refusal. As to the second allegation, this situation, even if taken as true, involves business practices and has no relationship to professional ethics or standard of care; therefore, there is no ethical violation involving that allegation. Regarding the third allegation, the transcript of the court testimony supplied by Respondent was procured and reviewed, with that review revealing no instance or hint of the Respondent providing any opinion about the Complainant. That conclusion, and Respondent's denial, was supported by the interviewed recall of mom's attorney, now sitting as a circuit judge, himself (he also did not recall any of dad's several attorneys ever making a request that dad be allowed to participate in any treatment sessions). Based on the sufficiently-thorough investigation, the Screening Committee recommends that this matter be dismissed with a finding of no violation. The motion passed unanimously.

OLD BUSINESS

Reconsideration of Renewal Fees for FY 06

Mr. Sowell made a motion to reduce the license renewal fee to \$150 for the next two years. Dr. Wyrick seconded the motion. The motion passed unanimously.

Information Network Of Arkansas (INA) Online Renewal Fee

Ms. Rebecca Wright stated that INA would charge a convenience fee to licensees that renew their licenses online. She stated that the Board could absorb the costs the first year until the system is running smoothly then charge the licensees the convenience fee starting the second year. Ms. Wright stated that the Board will budget the necessary funds, considering 20% of licensees renewing online, to cover the costs. Dr. Wyrick made a motion to absorb the convenience fee the first year and to turn the cost over to the licensees beginning the second year and that the Board budget high enough to cover all costs. Mr. Larry Lawrence seconded the motion. The motion passed unanimously.

Continuing Education Units (CEU) Reporting Deadline

Ms. Welsh stated that there is confusion about the January 15 deadline for CEU reporting. Many licensees think that the deadline is January 31. Dr. Hassel made a motion to extend the CEU deadline to January 31. Dr. Wyrick seconded the motion. The motion passed unanimously.

Continuing Education Units (CEU) Reporting - Late Fees Accumulative Increase

Ms. Welsh stated that since the Board staff is working to make CEU online banking available to licensees, that a stricter punishment for late CEU submission was needed. She requested that instead of a \$50 flat rate, that the licensee pay \$50 each month that the reporting is late. Dr. Bettye Hoffman made a motion that licensees with late CEU submissions pay \$50 each month that the reporting is late. Dr. Betty Davis seconded the motion. Dr. Dixon called the question. Mr. Sowell voted against the motion. The motion passed.

Mr. Ammel asked if there is an accumulative cap. Ms. Welsh stated that the stipulation has always been that if the licensee did not submit CEUs and pay any late fees associated, the licensee could not renew his/her license.

NEW BUSINESS

Waive EPPP Score Requirements

B. Hall: Ms. Hall will be applying for licensure in Arkansas. She holds two licenses in Texas. Her EPPP score on file does not qualify for the current standard. Ms. Hall would like her score to be accepted as passing by the Arkansas Psychology Board to avoid re-taking the national written exam. Dr. Wyrick made a motion to not accept Ms. Hall's request; she must re-take the EPPP exam and pass at the current passing score. Dr. Hoffman seconded the motion. Dr. Dixon called the question. The motion passed unanimously.

Address Board Concerning Written Request

Dr. Gary Souheaver stated that the Arkansas Psychology Board has created a non-neutrality stance between the Psychological Examiners and the Psychologists. He stated that by taking a position on House Bill 1234, the Board has placed itself on one side.

Dr. Souheaver stated that the Board did not have any authority to take a position on House Bill 2105. He stated that the Interim Studies took 18 months to come to a conclusion and that the letters the Board Chair sent to licensees stating the Board position are serious implications. He stated that the Board chair needed to be restrained as both the Chair and the Legislative Liaison to avoid implying personal statements as Board positions. Dr. Souheaver stated that the Chair has abused his power.

Dr. Souheaver stated that the Board taking an advocacy position of Senate Bill 1194 needs to be removed, along with the endorsements, from the record. He stated that SB1194 causes confusion concerning accredited programs, the Chair/Legislative Liaison making a public statement as a

Board opinion, and the neutrality position being abused. Dr. Souheaver stated that the Chair/Legislative Liaison should send a letter of apology to all licensees for misrepresenting himself.

Dr. Souheaver stated that the Board's right to Freedom of Speech has been abused and that there is no Board clarification. He questioned how the Board could be polled without it being a called meeting. He stated that he will continue to show displeasure in the Chair/Legislative Liaison's and the Board's abuse of power and that the Board is setting a bad precedent.

Legislative Session Update

Dr. Shry stated that both the Chair and the Board have their First Amendment Rights. He stated that House Bill 2105 does affect the public and that he spoke against the bill at the Committee on Public Health, Welfare And Labor Committee- House Hearing held March 14, 2005. The Bill passed with minimal opposition after all who spoke against the Bill. Dr. Shry stated that the Board does have a right to have an opinion and to state the opinion publicly. He stated that the Board does need to have a Legislative Liaison speaking for the Board to protect itself from other entities misrepresenting the Board's position. Dr. Shry stated that all steps that the Chair/Legislative Liaison takes is within the law.

Dr. Wyrick stated that the Board's Rules and Regulations do not prevent the Board from participating in any legal proceedings. He stated that he voted for the current Legislative Liaison with confidence that he would represent the Board well and feels that he has done so.

Dr. Hoffman stated that she trusts and appreciates the Chair/Legislative Liaison's decisions and actions and does not question them. She also stated that the Board is the only authority that has answers to questions that arise, being the licensing Board, and the Board, in some capacity, must be represented. Dr. Hoffman stated that special interest groups take a project and pick out a Representative, who does not know anything about the project, to represent it. The Representative is simply going on what he is told by the special interest group. The Board must be present to supply correct input to the Representative.

Mr. Lawrence extended his thanks to the Chair/Legislative Liaison and stated that he appreciates the work that he has done on behalf of the Board.

Dr. Shry stated that he is limited to the time he can come to Little Rock and at times he would need another Board member to take his place as the Legislative Liaison.

Internship Approval

Dr. Carl Reddig requested internship approval of a doctoral level intern, Mr. Joe Gann. Dr. Wyrick made a motion to approve the internship. Dr. Dixon seconded the motion. The motion passed unanimously.

ASPPB Meeting in Atlanta, October 2004

Dr. Hassel stated that Petit Jean gave her a 50% discount on a ham, as a donation, for the ASPPB Silent Auction that was held in Atlanta, Georgia in October 2004, on behalf of the Board. She stated that she would like the Board to send a Thank-You card to the Petit Jean store.

Ms. Welsh stated that the Board would reimburse Dr. Hassel for her payment on the ham.

ADJOURN

Dr. Wyrick made a motion to adjourn. Dr. Dixon seconded the motion. The motion passed unanimously. The meeting was adjourned.