

Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Room
August 12, 2005

CALL TO ORDER

The meeting was called to order by Dr. Stephen Shry, Chair, at 9:00 a.m.

Board Members present: Dr. Joe Alford, 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. Karen Beller, Dr. Catherine Crews, Ms. Elizabeth Glenn, and Dr. Gary Souheaver.

Welcome to New Board Members

Dr. Shry welcomed new Board member Dr. Joe Alford, who replaced Dr. Michael Wyrick. Dr. Shry also welcomed reappointed Board member Dr. Russell Dixon.

Meeting Agenda

Dr. Shry presented the agenda. Dr. Shry added Post Doctoral Training under new business. Dr. Joe Alford made a motion to approve the amended agenda. Mr. Dwight Sowell seconded the motion. The motion passed unanimously.

Minutes

Dr. Shry presented the July 6, 2005 minutes and the July 15, 2005 minutes. Mr. Sowell made a motion to approve the minutes. Mr. Larry Lawrence seconded the motion. The motion passed unanimously.

COMPLAINT COMMITTEE REPORT

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

Complaint #05-05 Action: The perpetrating Respondent acknowledged to Board staff the practical joke aspect of this prank on the same day it occurred. While unprofessional and creating a poor impression for the perpetrator and possibly the Board, this activity on the part of the Respondent does not rise to the level of an actionable violation. The Committee therefore recommends dismissal of this matter.

Complaint #05-06 Action: There is no basis to the allegation about a breach of confidentiality since the providing attorney had legitimately subpoenaed the records in question due to the subject matter of the litigation (parental fitness). Complainant was represented by her own attorney and no objection was made to Respondent's testimony. The procedure allegedly used for the "records review" is seemingly adequate for the purpose intended and testimony provided. With the allegations having been satisfactorily refuted, the Committee recommends this matter be dismissed as involving no sustainable and actionable violation.

Complaint #05-08 Action: The board's oversight and discipline functions do not, in the opinion of the committee, legitimately incorporate the monitoring of professional relationships or interactions between licensed practitioners that do not conceivably involve a "protection-of-the-public" issue. Alleged slander or defamatory opinions are the proper subject matter of a civil action (lawsuit) within the judicial system and, no matter how objectionable or obnoxious such comments might be perceived, are not deemed to be within the Board's authority or jurisdiction. Although Complainant cites various Principles (which are merely aspirational and therefore not enforceable) and Standards 3.09 (cooperation with other collateral professionals) and 3.04 (avoiding harm), those Standards are inapplicable to this matter and do not create jurisdiction that is lacking. Therefore, the Committee recommends dismissal of this matter with no further action on the Board's part.

Complaint #05-09 Action: The committee has determined that the Complaint, on its face and by accompanying documents, disproves the allegations raised therein and does not actually state facts that could constitute any ethical violation or warrant any disciplinary action. There is insufficient (no) substantiation that the psychologist's report in question was, in fact, entirely confidential as somehow "sealed" by the court and therefore has to be considered a matter of public record, amenable to review by Respondent. The letter in question by Respondent does not, in fact, solicit Complainant as a client. Therefore, the committee recommends that this matter be dismissed without further investigation or solicitation of a response from Respondent.

Hearing Update: Dr. Paul Moore

Ms. Amy Ford, Assistant Attorney General, stated that Dr. Moore has filed an appeal in the Jonesboro Circuit Court. Dr. Moore is requesting the court to stay the Board's decision to suspend his Psychology license pending the appeal. A hearing will be held in Jonesboro concerning the stay of the Board's decision. Dr. Sabra Hassel made a motion to oppose the stay of its decision. Mr. Lawrence seconded the motion. Dr. Russell Dixon abstained. The motion passed. Ms. Ford requested that Board members be available to provide testimony regarding the Board's opposition to a stay of its decision.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Request for Provisional License Extension

Dr. Amy Pollard requested a Provisional License extension of one year. Dr. Dixon made a motion to grant the extension. Dr. Sowell seconded the motion. The motion passed unanimously.

Ms. Leah Carter requested a Provisional License extension for four months. After discussion, the Board stated that Dr. Dixon and Dr. Hassel would write a letter to Ms. Carter and her supervisor, Dr. Michael Inman, requesting more information. Dr. Inman is not approved to supervise and should not be supervising Ms. Carter. Dr. Dixon made a motion to deny Ms. Carter's request. Dr. Betty Hoffman seconded the motion. The motion passed unanimously.

Test Administration and Testing

Mr. Joshua Lee contacted the Board in regards to test administration and training in intelligence testing and using adaptive behavior scales. Mr. Lee will need to acquire appropriate supervision for each type of training and test administration. Also, he needs to have inclusive training with EMDR training to fully utilize this technique. After discussion, Dr. Dixon and Dr. Hassel agreed to compose a letter in detail to Mr. Lee. Dr. Dixon made a motion to respond to Mr. Lee that training should be ethical and detailed, and that correct supervision will be needed. Dr. Hoffman seconded the motion. The motion passed unanimously.

Post Doctoral Training

Dr. Dong Xie would like his post doctoral hours earned while teaching to count towards the 2000 clinical hours that are required for Psychologist licensure. Discussion followed. Dr. Hoffman made a motion that Dr. Xie must have 2000 hours of clinical work to be licensed in the future as a clinical Psychologist. Dr. Hassel seconded the motion. Dr. Dixon called the question. The motion passed unanimously. Dr. Xie's supervisor will be informed of the Board's decision.

The Board discussed the need to clarify the Rules and Regulations concerning the percentage of post doctoral hours earned in a clinical setting versus a teaching setting. Dr. Dixon made a motion that the Board begin a process to clarify the Rules and Regulations concerning post doctoral hours. Dr. Hassel seconded the motion. Mr. Sowell opposed. The motion passed.

Statement of Intent Update

Dr. Paul Deyoub contacted the Board with an updated Statement of Intent. He stated he has been practicing neuropsychology since he was licensed twenty-six years ago and at that time the Statement of Intent did not have a delineation of categories. Dr. Dixon made a motion to approve the updated Statement of Intent. Dr. Alford seconded the motion. Dr. Betty Davis and Mr. Sowell abstained. The motion passed.

Technician Application Packet Approval

The staff submitted a Technician Application Packet to the Board for approval. Discussion followed. Dr. Dixon made a motion to accept the packet with the Board modifications. Mr. Sowell seconded the motion. The motion passed unanimously.

Dr. Hassel requested to see a final packet and the Credential Review Forms that will be used at the next regularly scheduled Board meeting.

Pre-Doctoral Internship Approval

Ms. Karen Beller submitted a pre-doctoral internship position that she would like to take and asked for the Board's approval of the hours that she would accrue in approximately one year. Dr. Dixon made a motion to approve Ms. Beller's pre-doctoral internship position. Mr. Lawrence seconded the motion. The motion passed unanimously.

Public Hearing: Rules and Regulations

Dr. Catherine Crews stated that section 5.4.A.(2).(f), stating that a one year residency requirement for a Psychologist applicant is too strict. She stated that because Arkansas is part of several mobility programs, this requirement could keep other Psychologists from coming to Arkansas if the residency was completed differently. At this time, states do not have to follow a national standard and can have stricter requirements.

Ms. Elizabeth Glenn suggested that in section 6.3.E.(1) the term "employed" be changed to "supervised", concerning technicians.

In section 6.3.E.(1), number 3, the technicians will provide Continuing Education Units each year with the registration renewal and supervision report form.

Ms. Ford requested permission to correct any number changes and typos as needed to the Rules and Regulations. The Board granted Ms. Ford permission to do so.

Dr. Dixon made a motion to approve the Rules and Regulations with the Board changes. Dr. Hassel seconded the motion. The motion passed unanimously.

FAREWELL TO DR. MICHAEL WYRICK

Dr. Wyrick served on the Board for five years and seven months. His time given to the Board and to the staff has been greatly appreciated and he will be missed.

ADJOURN

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