

**Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
January 19, 2007**

CALL TO ORDER

The meeting was called to order by Mr. Dwight Sowell, Chair, at 9:00 a.m.

Board Members present: Dr. Joe Alford, Dr. Betty Davis, Dr. Russell Dixon, Ms. Jane English, Dr. Sabra Hassel, Dr. Bettye Hoffman, Dr. Steve Shry, and Mr. Dwight Sperry.

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

Guests present: Ms. Elizabeth Glenn

Meeting Agenda

Mr. Sowell presented the agenda. Dr. Joe Alford made a motion to approve the agenda. Dr. Steve Shry seconded the motion. The motion passed unanimously.

Minutes

Mr. Sowell presented the December 9, 2006 minutes. Dr. Alford made a motion to approve the minutes. Dr. Shry 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 #06-06 Action: At the Board's October 2006 meeting, the Committee recommended an attempt to resolve this case through a Consent Order involving an admission of a violation of Standard 3.04 (Avoiding Harm) with issuance of a Letter of Reprimand incorporated therein. The Board approved that recommendation at its October meeting, and that proposed resolution was presented to Respondent. Respondent thereupon obtained legal representation, and the Board's offer of resolution was thereafter rejected. Subsequently, Respondent's attorney submitted a lengthy letter putting an interpretive "spin" on the quoted Response sentences and arguing that Respondent correctly understood the actual custodial arrangement but was complying with "customary practice" in following the wishes of the residency parent when both parents disagreed upon a particular course of action. That attorney also alleged that the implicating quoted Response sentences were actual editorial additions requested by Respondent's management and that they obviously confused the matter rather than clarifying it, as intended.

While the attorney's interpretive explanations and rationalizations are not entirely convincing in the Committee's opinion, it does raise the likelihood that the issue of whether a violation, in fact, occurred would be resolvable by the trier-of-fact (Board members) based solely on an assessment of the credibility of Respondent's testimony as to what was understood at the time of the events in question and meant by the Response. In such a circumstance of differing interpretations being feasible, the Committee considers a hearing proceeding resulting in a finding of violation to carry significant risk of not being sustainable in a court appeal. Furthermore, the Committee is also concerned that convincingly establishing a "harm" allegedly suffered by Complainant, as deriving from the course of events in which Respondent was involved and being the requisite factual occurrence underlying Standard 3.04, is problematical and also potentially difficult to sustain in an appeal. Accordingly, in conjunction with consideration that Complainant's grievance was primarily centered around actions of an LPC not under Respondent's nor our authority, the Committee is now recommending that this matter be dismissed without prejudice due to the questionable likelihood of factually substantiating a Standard 3.04 violation that could be sustained on appeal, trusting that Respondent, at a minimum, has become more appreciative of the concerns and issues involved in this Complaint.

Dr. Russell Dixon called the question. The motion passed unanimously.

OLD BUSINESS

Solicitation of Oral Examination Questions

Ms. Janet Welsh requested the Board provide new oral examination questions for discussion at the February meeting. Dr. Sabra Hassel asked that there be questions for each level of licensure and that an index be created.

NEW BUSINESS

Annual Approval of Act 1211 of 1995 – Board Member Reimbursement

Mr. Sowell presented the annual letter concerning Act 1211 of 1995 - Board member reimbursement. Mr. Dwight Sperry made a motion to approve Act 1211 of 1995 providing Board member reimbursement. Dr. Alford seconded the motion. Dr. Dixon called the question. The motion passed unanimously.

Walden University – Requesting State Authorization for Marketing Matters

The Board office was in receipt of a letter seeking state authorization in Arkansas for Walden University to mail marketing materials into Arkansas and to periodically have recruiters meet with potential students on the ground in the State. Dr. Dixon made a motion that Ms. Welsh contact the Arkansas Department of Higher Education (ADHE) for more information of what Walden University is requesting and to confirm ADHE's program requirements. Mr. Sperry seconded the motion. The motion passed unanimously.

Pre-Approval of a Pre-Doctoral Internship: A. Stillwell

Angela Stillwell presented to the Board two options to work in a pre-doctoral internship. Dr. Dixon made a motion to approve the internship at Counseling Consultants, Inc. with Angela Sanders, Ph.D. and Tom Heisler, Ph.D. Dr. Hassel seconded the motion. The motion passed unanimously.

Electronic Application Process

Ms. Rebecca Wright asked for the Board opinion about making the license application process electronic utilizing the website and the database. She stated that the ideal process would be that new applicants would be able to go to the website and apply for an application and receive all application materials from the website. The application materials would be in Adobe in fillable forms. The applicant would be able to do everything electronically, including emailing the forms to the office. The applicant would also be given a user name and password to log into his/her record and the application area of the website. Ms. Wright stated that the cost savings would come from various areas. Dr. Dixon requested a more detailed report showing cost and time savings versus the fees that would be incurred by making the application process electronic. The Board concurred that hand written signatures would still be required.

The Board recessed at 10:15 am for Oral Examinations.

The Board reconvened at 12:00 pm for discussion of Oral Examinations.

ADJOURN

Dr. Alford made a motion to adjourn. Dr. Shry seconded the motion. The motion passed unanimously. The meeting was adjourned.