

Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
August 24, 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. Russell Dixon, Ms. Jane English, Dr. Sabra Hassel, Dr. Tom Poling and Mr. Dwight Sperry.

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

Meeting Agenda

Mr. Sowell presented the agenda. An amended item to include an announcement was added. Mr. Dwight Sperry made a motion to approve the amended agenda. Dr. Joe Alford seconded the motion. The motion passed unanimously.

Announcement

Mr. Sowell stated that Dr. Bettye Hoffman resigned from the Board and will be submitting a formal resignation to the Governor's office. Dr. Hoffman will be missed and the Board wishes her well.

Minutes

Mr. Sowell presented the revised June 15, 2007 minutes. Dr. Alford made a motion to approve the revised minutes. Mr. Sperry seconded the motion. The motion passed unanimously.

Mr. Sowell presented the July 20, 2007 minutes. Dr. Alford made a motion to approve the revised minutes. Mr. Sperry 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 #07-01 Action: The Screening Committee has determined that the effective date of the statutory amendment to the licensing law that added violations of the rules of ethics as adopted by the Board as being sanctionable (Arkansas Code Annotated § 17-97-310(a)(8)) was 8/13/01. All the events in question in this complaint preceded that statutory provision's effective date. Therefore, any attempt to impose a sanction in this matter, if the allegations were found to

be true, would be subject to a successful jurisdictional challenge. Accordingly, the Committee recommends this matter be closed due to its pre-existing nature. The motion passed unanimously.

Complaint #07-02 Action: Billing disputes are not a matter within our jurisdiction of overseeing ethical compliance. Many aspects of the complaint are considered to be frivolous. The Committee was satisfied with Respondent's response as to the allegations potentially involving actual Standards; accordingly, the Committee is recommending that this matter be dismissed due to lack of evidence sufficient to establish probable cause to believe a violation had been committed. The motion passed unanimously.

Complaint #07-03 Action: As with 07-01 above, many of the potentially offending events transpired prior to the effective date of our law's amendment regarding ethical violations being punishable, but several of the alleged incidents occurred after the effective date of 8/13/01. Nevertheless, significant problems exist in attempting to pursue any disciplinary action in this matter. First, the alleged transgressions occurred during services supplied under a counseling license to a counseling client. Secondly, the events in question occurred in a "foreign" state. Therefore, there is no nexus of the behavior, no matter how depicted, to our jurisdiction over our license of Respondent. [There undoubtedly would be a different conclusion (and recommendation) had Respondent been a Psychologist licensed in South Carolina and been practicing psychology at the time of the events; additionally, a referral to the Arkansas Counseling Board would be moot since he no longer is licensed by them.] Additionally, Respondent is deemed to be technically correct in noting the amendments to our renewal questionnaire as a basis for not previously reporting the SC discipline (we formerly asked whether any professional license and/or certification been denied or revoked in any state, whereas now we ask whether any disciplinary action has been taken against any professional license/certificate in any state and whether any disciplinary action, limitation, restriction, or rehabilitation been initiated or entered against a professional license/certificate in any state). Due to all of these complications, despite Respondent's potentially reprehensible behavior if proven to be true as alleged by Complainant, the Committee reluctantly concluded that it would be fruitless to pursue a disciplinary action against his Arkansas Psychologist license and recommends the matter be dismissed for lack of jurisdictional nexus to that license. Discussion followed. There was concern that the Respondent may be misusing the Arkansas Psychologist license. The South Carolina counseling disciplinary action will be included in future license verifications. Mr. Sperry called the question. Dr. Russell Dixon abstained. The motion passed.

J. Paul Moore Case

Ms. Amy Ford, Assistant Attorney General, provided an update of the Court's ruling on July 20, 2007. The judge stated that the two (2) year suspension would be lowered to six (6) months. All other Board stipulations will remain in tact.

Ms. Ford stated that Dr. Moore, through his attorneys, stated that he his having difficulty finding and taking graduate courses in Ethics and in Social Psychology, as directed by the Board. Dr. Moore requested that he get continuing education units in the above areas. The Board denied the request of receiving only continuing education units in those areas. The Board stated that

graduate courses must be taken. They amended the stipulation that other, closely-related courses could be taken and must be pre-approved by the Board. The Board stated that Dr. Moore must continue receiving supervision while taking the courses. Dr. Moore has a timeline of two and a half (2.5) years to meet these requirements. Dr. Alford suggested two (2) courses at Arkansas State University that Ms. Ford will relay to Dr. Moore's attorneys as approved.

OLD BUSINESS

Internship Proposal

Amala Sista requested approval of an internship with Dr. Michael Wyrick as her supervisor. Dr. Sabra Hassel approved the internship with the restriction that all testing must be performed under Dr. Wyrick's direct supervision for six (6) months. Dr. Alford seconded the motion. Dr. Dixon called the question. The motion passed unanimously.

Michael Powell requested approval of an internship with Dr. Clayton Mitchell as his supervisor. Dr. Dixon made a motion to approve the internship. Mr. Sperry seconded the motion. The motion passed unanimously.

Provisional License Extension

Kristen Eckelhoff requested an extension of her provisional license. The license expires August 31, 2007. Dr. Alford made a motion to notify Dr. Eckelhoff is qualified to have a third six-month provisional license period under the new rule the Board set for Psychologist-level applicants. Dr. Dixon seconded the motion. The motion passed unanimously.

Rosemary Burns requested an extension of her provisional license. The Executive Director administratively extended the provisional license until the August 24, 2007 Board meeting. Ms. Burns has been actively working and taking the Examination for Professional Practice in Psychology (EPPP). The Board granted a six (6) month extension with the restriction that the EPPP must be completed successfully during this time period. If it is not, Ms. Burns must start a new application. Dr. Dixon seconded the motion. The motion passed unanimously.

License Verification Fee Request for Policy Change

Dr. Wyrick requested that license verification fees be waived for state agencies. Discussion followed. Dr. Dixon made a motion that the staff inquire into the cost of creating a free, online verification with limited information, the staff inquire into the verification fees of Arkansas mental health boards, and that the policy change request be tabled until the former information can be presented to the Board. Mr. Sperry seconded the motion. The motion passed unanimously.

The Board recessed at 10:15 am.

The Board reconvened at 10:25 am.

**Association of State and Provincial Psychology Boards (ASPPB)
National Meeting October 17-21, 2007 Colorado Springs, CO**

Mr. Sowell presented the ASPPB national meeting information. ASPPB will pay for one (1) delegate from each State/Province to attend. Dr. Alford, Mr. Sowell and Ms. Janet Welsh each stated that they would like to attend the meeting. Ms. Welsh stated that there will be a silent auction that raises funds for ASPPB and requested approval to provide items from the Arkansas Psychology Board (APB). Dr. Dixon made a motion to approve the attendance of Dr. Alford, Mr. Sowell and Ms. Welsh at the ASPPB national meeting and to approve the APB to provide items for the silent auction. Mr. Sperry seconded the motion. The motion passed unanimously.

Provisional License – Crystal McLeod Kavanaugh

Ms. Kavanaugh was granted provisional license status in December 2006. She did not pay the provisional license fee when she began working. In June 2007, the second six months of the provisional license began. It was then found that she had not been paying the provisional license fees. At the July 20, 2007 Board meeting, it was stated in a motion that Ms. Kavanaugh pay the provisional license fee plus the late fee for her first six months and pay the provisional license fee for the second six months. Ms. Kavanaugh has since submitted all fees and her provisional license is active and in good standing.

Equifax Monitoring Service

Ms. Welsh provided a report to the Board of the number of licensees who had redeemed their codes and a number of spouses of the licensees that requested codes for coverage. A total of 285 Equifax monitoring service packages were purchased. Approximately 145 packages were redeemed by licensees. Approximately 50 packages were redeemed by spouses of the licensees. A refund is not available for unused codes.

Ms. Welsh stated that due to the cost of purchasing the Equifax monitoring service packages, the appropriation line used has significantly lowered. She stated she will need to request more funds for that line item from the PEER Committee. Dr. Alford stated that he would attend with Ms. Welsh.

NEW BUSINESS

Supervisor List Content

The staff requested the opinion of the Board of what content to include on the supervisor list. Discussion followed. Dr. Dixon made a motion that only the supervisor's first name, last name, city and state be included. He stated that users be directed to the published directory for contact information. The motion passed unanimously.

Clarification of School Psychology Specialists Providing Personality Assessments: K. Foster

Ms. Kathleen Foster requested clarification of School Psychology Specialists providing personality assessments. She stated that she is a Licensed Psychological Examiner with clinical supervision and is approved to provide personality assessments. However, there is evidence that there are School Psychology Specialists, not licensed with the APB, that are also providing personality assessments. Dr. Dixon made a motion that the Ms. Ford research this matter and that the request be tabled until the information can be presented to the Board. Mr. Sperry seconded the motion. The motion passed unanimously. Dr. Hassel requested that the staff notify Ms. Foster that the matter is being researched.

Supervisor Status Request

Dr. James Bailey requested supervisory status. He submitted an application, two (2) letters recommendation, and a curriculum vitae. Dr. Alford made a motion to grant supervisory status. Dr. Dixon seconded the motion. The motion passed unanimously.

Dr. Ellen Berger requested supervisory status. She submitted an application, a transcript showing a course in supervision and a letter of recommendation from a Licensed Professional Counselor. Dr. Dixon made a motion that the request be tabled and that Dr. Berger provide a recommendation from an Arkansas Licensed Psychologist. Mr. Sperry seconded the motion. The motion passed unanimously.

Dr. Gene Chambers requested supervisory status. He submitted an application, a transcript showing a course in supervision, and a list of three (3) references. Dr. Dixon made a motion to table the request and that Dr. Chambers provide letters of recommendations. Mr. Sperry seconded the motion. The motion passed unanimously.

Reschedule September 2007 Board Meeting

Ms. Welsh requested a change in the September schedule to allow a thirty (30) day notice for a Public Hearing of the updated Rules and Regulations. Discussion followed.

The following meetings have been canceled:

September 21, 2007
 October 26, 2007 Oral Exams
 November 16, 2007

The following meetings have been added:

October 5, 2007 Public Hearing
 November 2, 2007 Oral Exams

Dr. Hassel made a motion to approve the meeting changes. Dr. Dixon seconded the motion. The motion passed unanimously.

The Board entered Executive Session at 11:35 a.m.

The Board opened the meeting to the public at 12:05 p.m.

The Board recessed at 12:05 p.m. for Oral Examination.

The Board reconvened at 12:15 p.m.

The Board recessed at 12:15 p.m. for Rules and Regulations Revisions in work groups.

The Board reconvened at 2:00 p.m.

The Board briefly discussed clarifications and updates to the Rules and Regulations.

A new section will be included concerning independent practice of Licensed Psychological Examiner. Dr. Alford made a motion to approve the inclusion and the content presented. Dr. Dixon seconded the motion. The motion passed unanimously.

All other clarifications and updates to the Rules and Regulations were presented. Dr. Alford made a motion to approve the content presented. Mr. Sperry seconded the motion. The motion passed unanimously.

ADJOURN

Mr. Sperry made a motion to approve. Dr. Alford seconded the motion. The meeting was adjourned.