

Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
October 5, 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.

Guests Present: Ms. Karen Beller, Dr. Robert Doyle, Ms. Elizabeth Glenn, Mr. Matthew Miller, and Dr. Robbie Thomas-Knight.

Meeting Agenda

Mr. Sowell presented the agenda. Mr. Sowell requested that the information concerning independent practice of Psychological Examiners be tabled. Ms. Jane English made a motion to approve the amended agenda. Dr. Joe Alford seconded the motion. The motion passed unanimously.

Minutes

Mr. Sowell presented the August 24, 2007 minutes. Mr. Dwight Sperry made a motion to approve the minutes. Ms. English 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 #07-03 Action: The Screening Committee is requesting the Board to re-visit this case after having adopted, at its preceding meeting, the Committee's recommendation of dismissal on various grounds since further investigation has revealed different grounds that seemingly establish probable cause to believe sanctionable violations were committed. APB's statutes and regulations permit the refusal to grant a certificate under the employment of fraud or deception in applying for a license (ACA Section 17-97-310(a)(1)). Further, APB is permitted to refuse to renew a certificate for any cause listed in the applicable chapter upon providing 20 days advance notice in writing by registered mail, return receipted, of the charges against the applicant and affording the licensee an opportunity to have a public hearing about that renewal refusal (ACA Section 17-97-311(a)(2)). Under the foregoing statutory provisions and the listed additional

facts, the Screening Committee is recommending that Respondent be informed that the Board will effectuate a refusal to renew the Psychologist license due to Respondent's commission of fraud and deception in the renewal application process unless Respondent requests a hearing about that renewal refusal within 20 days of the notice. Dr. Russell Dixon called the question. The motion passed unanimously.

Complaint #07-10 Action: The Screening Committee found no discernible violation on the face of the complaint and its alleged facts. Furthermore, it agrees with Respondent that the alleged facts, if taken as true, did not conceivably involve the provision of professional psychological services as opposed to a prison staff member merely engaging in administrative and correctional functions. Therefore, the Committee recommends that this matter be dismissed as not implicating the Respondent's licensed profession in any way and that lack accordingly failing to invoke this Board's jurisdiction over the matter. Dr. Dixon called the question. The motion passed unanimously.

OLD BUSINESS

Proposed Rules & Regulations - § 5.3.5.E

Mike Feehan of the Bureau of Legislative Review contacted the Board office concerning the draft Rules & Regulations that was submitted for review. He stated that § 5.3.5.E conflicted with the statute and his advice was to withdraw the Rules & Regulations from review for revisions. The Board withdrew the Rules & Regulations from the review so that revisions could be made. Discussion followed. Ms. Amy Ford, Assistant Attorney General, advised the Board to use the first revision of the Rules & Regulations that was drafted because it closely related to the new statutes that have been put in place. Dr. Alford made a motion to revise the proposed Rules & Regulations with the first version that was drafted and closely relates to the statute created. Dr. Sabra Hassel seconded the motion. The motion passed unanimously.

Ms. Ford advised that the Board extend § 5.3.5.C (1) by adding a sentence directly taken from the statute. This will clearly state what is needed for credential review. Mr. Sperry made a motion to extend § 5.3.5.C (1). Dr. Dixon seconded the motion. The motion passed unanimously.

The proposed Rules & Regulations will be updated and submitted to Legislative Review. There will be a thirty (30) day period that will be open to the public. A public hearing will be scheduled for November 9, 2007 to allow the thirty (30) day period.

Independent Practice for Psychological Examiners – Requests

The statute for independent practice is currently an active law. Psychological Examiners may request independent practice under this law. Subcommittees were formed to administratively review the applications that have been received.

The Board recessed at 10:05 a.m. so that the subcommittees could review the applications. The Board reconvened at 10:20 a.m.

G.T. Spence requested independent practice as a Psychological Examiner. Dr. Tom Poling made a motion to approve the request. Dr. Alford seconded the motion. The motion passed unanimously.

Sherry Bunch requested independent practice as a Psychological Examiner. Ms. Bunch must remove TAT from her Statement of Intent. Dr. Poling made a motion to approve the amended request. Ms. English seconded the motion. The motion passed unanimously.

LaDeana Bell requested independent practice as a Psychological Examiner. Dr. Hassel made a motion to approve the request. Dr. Dixon seconded the motion. The motion passed unanimously.

Karen Beller requested independent practice as a Psychological Examiner. Dr. Hassel made a motion to approve the request. Dr. Dixon seconded the motion. The motion passed unanimously.

Kenneth Priest requested independent practice as a Psychological Examiner. Dr. Dixon made a motion to approve the request. Ms. English seconded the motion. The motion passed unanimously.

Peggy Foster requested independent practice as a Psychological Examiner. She will need to amend her Statement of Intent by deleting group therapy. No supporting evidence was provided for this addition. Dr. Dixon made a motion to approve the amended request. Ms. English seconded the motion. The motion passed unanimously.

Statement of Intent for Independent Practice of Psychological Examiners

A Statement of Intent form was created for Independent Practice of Psychological Examiners. This form must be completed and submitted for review by the Board. Mr. Sperry made a motion to accept and use the form. Dr. Alford seconded the motion. The motion passed unanimously.

Licenses who have already been approved for independent practice as a Psychological Examiner must complete an approved form for their files.

Statement of Intent – Yearly

Dr. Hassel requested that a blank Statement of Intent form be mailed to each licensee every year during license renewal to ensure that the licensees are practicing appropriately. She stated that a footer could be included on the form to show the current year. No discussion followed. No motions made.

License Verification Fee Request for Policy Change

Ms. Janet Welsh, Executive Director, stated that GL Suite could put a function on the APB website that would allow free, but limited, license verifications. Once the information is

received, the user could request more information for the current fee of \$10. The cost would be \$4000 - \$5000 to create the free search.

Ms. Welsh stated that the staff had researched other options to lower the costs. One option would be to incorporate a different database from GL Suite. Other state agencies use FileMaker Pro. The staff has been in contact with these agencies and a name has been supplied of a person that could help to incorporate the new database. Dr. Dixon requested that the staff get clarification of the compatibility, security, and the details of the migration of information of FileMaker Pro. He also requested information for continuing to bank continuing education units (CEUs) during the migration. Mr. Sowell requested the staff to investigate all of the pros and cons of changing databases.

Dr. Dixon made a motion to approve Ms. Welsh, Executive Director, to make a decision of what database to use, under the auspices of the personnel subcommittee. If she decides to change databases, Ms. Welsh is authorized by the Board to request an increase in appropriations to fund the purchase. Ms. English seconded the motion. 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. Ms. Ford stated that she researched this information. Those that are testing without supervision are similar to Licensed Professional Counselors (LPC). Under the Counseling Board Rules & Regulations, Counselors do not require supervision for this type of testing. The APB Rules & Regulations do require supervision of Psychological Examiners so anyone practicing as a Psychological Examiner must have supervision while providing personality assessments. The Board does not have jurisdiction over Counselors; therefore, no action will be taken.

Supervisor Status Request

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. Berger's request was tabled at the August 24, 2007, due to lack of a recommendation from a Psychologist. Dr. Berger submitted a recommendation from a Licensed Psychologist for her review to be requested at this meeting. Mr. Sperry made a motion to approve the request. Dr. Alford seconded. The motion passed unanimously.

NEW BUSINESS

Statement of Intent – Amendments

Charles Mallory submitted an amended Statement of Intent for review. Dr. Hassel made a motion to approve the amended Statement of Intent. Mr. Sperry seconded the motion. The motion passed unanimously.

John Faucett submitted an amended Statement of Intent for review. Dr. Dixon made a motion to approve the amended Statement of Intent. Mr. Sperry seconded the motion. The motion passed unanimously.

ATU Practicum – C. Lack

Caleb Lack stated that ATU will begin practicums in spring 2008 for Master's students. He requested information on how to enact these within the Boards Rules. The Board stated that practicums are outlined in the Rules & Regulations and ATU can follow these.

J.P. Moore

Ms. Ford stated that Dr. Moore requested a change in supervisor. She stated that the new supervisor would be in house. The Board stated that the new supervisor would be acceptable. Ms. Ford stated she would notify Dr. Moore's attorneys of the approval.

Ms. Ford stated that Dr. Moore agreed to the post-graduate classes that the Board recommended. However, she has not had an answer from Dr. Moore or his attorneys concerning the order. She will submit a request for information to the court by close of business this day if there is no answer.

The Board recessed at 10:50 a.m. for an oral examination.

The Board reconvened at 11:30 a.m.

ADJOURN

Dr. Alford made a motion to adjourn. Dr. Hassel seconded the motion. The meeting was adjourned.