

Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
January 16, 2009

CALL TO ORDER

The meeting was called to order by Dr. Joe Alford, Chair, at 9:18 a.m.

ROLL CALL

Board Members present: Dr. Russell Dixon, Ms. Elizabeth Glenn, Dr. Sabra Hassel, Dr. Edward Kleitsch, and Mr. Dwight Sperry.

Dr. Dixon arrived to the Board meeting at 11:00 a.m. The Board excused the tardiness.

Staff Members present: Mr. James Ammel, Ms. Amy Ford, Ms. Sheila Pauley, and Ms. Rebecca Wright.

Guests Present: Ms. Karen Beller and Ms. Miranda Cavaness.

Meeting Agenda

Dr. Alford presented the agenda. Dr. Alford stated that the item regarding Rev. Bone and Mr. Gann could be removed at their request. Added under New Business is a report regarding oral examination questions, and a Director's report. Ms. Elizabeth Glenn moved to approve the amended agenda. Mr. Dwight Sperry seconded the motion. The motion passed unanimously.

Minutes

Dr. Alford presented the November 21, 2008 minutes. Ms. Amy Ford requested that two (2) sentences on page three (3) be removed regarding her statement to the Board during the discussion of Ashley George. Dr. Sabra Hassel moved to approve the amended 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 #08-09 Action: Respondent was specifically requested to supply any supervision documentation, including agreement, plan, and memorialization of supervision sessions. Respondent was also asked to provide any rationale as to why her behavior vis-à-vis the other therapist should not be seen as a violation of Standard 3.09

(Cooperation with Other Professionals) or explain why that Standard did not apply to the events that transpired. Respondent supplied the aforementioned Supervision Agreement and Supervision Plan but no documentation of any supervision that had occurred. Respondent acknowledged that her wording about Complainant in her communications were not the best and could have been more tolerant, but Respondent also essentially defended Respondent's behavior by castigating Complainant's own behaviors and lack of cooperation in the matter.

APB's regulations in effect at the time in question specifically require a supervisee and supervisor to file a plan of supervision for approval by the Board prior to any delivery of services by the supervisee-- that requirement was clearly not fulfilled. The regulations also require that supervision sessions be documented—inasmuch as Respondent did not supply any such documentation, despite direction to do so, raises the inference and presumption that none exists and constitutes another element of non-compliance. The regulations further specify in the supervision section that failure to comply with any of the requirements provided in that section shall be subject to Board review and possible disciplinary action. The Committee believes that the violations of non-compliance with the Board's regulations warrant discipline. The Committee further believes that probable cause has been established for a finding of violation of Standard 3.09 and that such also deserves discipline. Due to the nature of the violations and the potentially unprofessional and deplorable behavior of the other therapist over whom APB has no jurisdiction, the Committee is recommending the proffer of a Consent Order to Respondent that incorporates a letter of reprimand and a monetary fine of no less than \$750. Dr. Hassel requested that the Respondent have a current supervision agreement and plan on file. She also requested that the supervisor provide documentation to the Board after one (1) year of supervising Respondent. The Screening Committee will then provide its recommendations to the Board. The motion passed unanimously.

OLD BUSINESS

Supervisor Status Requests

Kami Mays Hunt requested supervisory status while receiving supervision. Dr. Hunt stated by correspondence that she has had three (3) months of supervision while supervising. She also stated that she has had difficulty finding anyone to supervise so that she herself could be trained as a supervisor. Dr. Hunt would like to supervise neuropsychological technicians for testing purposes. Dr. Hassel stated that one does not need supervisory privileges to supervise neuropsychological technicians. Dr. Edward Kleitsch stated that the Rules and Regulations state that a supervisor must have supervisory privileges to supervise neuropsychological technicians. Dr. Hassel moved that Dr. Hunt employ neuropsychological technicians and receive supervision training for one (1) year. Mr. Sperry seconded the motion. Ms. Ford stated that this motion is a deviation from the Rules and Regulations. At this time, Dr. Hunt does not have supervisor privileges by the Board. Dr. Hassel amended the motion that Dr. Hunt supervise a neuropsychological technician employed by a supervisor with supervisor privileges and Dr. Hunt could receive her training while under supervision. Discussion

followed regarding the Rules and Regulations requirements for applying for supervisory privileges. Dr. Hassel withdrew the motion. Dr. Hassel moved that Dr. Hunt complete her supervision training then request supervisory privileges from the Board. When Dr. Hunt is approved to supervise, she may employ neuropsychological technicians. Mr. Sperry seconded the motion. The motion passed unanimously.

Disability Determination for Social Security Administration (DDSSA)

Arthur Boutiette, Director, corresponded to the Board office by letter. Mr. Boutiette requested that the Board state which licensure levels could perform administrations, interpretation, and reporting of psychological assessments and which assessments require a supervisor's signature. A list was included with the correspondence. Dr. Kleitsch stated that the Board does not have the say in what groups perform assessments, etc. Each licensee must have a current Statement of Intent on file and that determines what a licensee can and cannot do. A Psychological Examiner may or may not have supervision. A Psychological Examiner Independent does not require supervision. Dr. Alford stated that a response by letter would suffice explaining the Board's licensure requirements and the Statement of Intent.

The Board recessed at 10:10 a.m.

The Board reconvened in public session at 10:21 a.m.

Licensed Psychological Examiner – Independent Status (LPE-I) Post 1997

Nancy Hicks has requested to accrue 3000 hours towards Independent status as a Psychological Examiner. She is employed full-time as a faculty member at the University of Central Arkansas (UCA) and has a private practice with eight to ten (8 -10) client contact hours per week. Ms. Hicks requested less than the Rules and Regulations requirement of supervision because she does not see clients on a full time basis. Dr. Hassel moved to approve Ms. Hicks' request to accrue 3000 hours towards Independent status as a Psychological Examiner and that if her client contact hours increase over ten (10) hours a week, she must increase her supervision hours. Mr. Sperry seconded the motion. The motion passed unanimously.

NEW BUSINESS

Act 1211 of 1995 – Expense Reimbursement

Ms. Sheila Pauley presented Act 1211 for annual approval. She stated that Act 1211 of 1995 is for Board member reimbursement and to cover expenses for Board meetings and Board related activities. Dr. Hassel moved to approve Act 1211 of 1995 for Board member reimbursement. Ms. Glenn seconded the motion. The motion passed unanimously. Dr. Hassel moved to approve Act 1211 of 1995 to cover expenses for Board meetings and Board related activities. Dr. Kleitsch seconded the motion. The motion passed unanimously.

Residency Requirements for Licensure

CAPELLA UNIVERSITY – REQUEST OF NUMBER OF STUDENTS LICENSED IN ARKANSAS

Dick Butala, Licensing Specialist at Capella University, corresponded to the Board by letter. He requested the number of Capella University students licensed by the Board. Dr. Alford stated that one person with a doctoral degree from Capella University was licensed as a Psychologist in 2006. The Rules and Regulations were changed in 2007; no student of Capella University has been licensed since the Rules and Regulations changed in 2007. Dr. Alford stated that he would correspond to Mr. Butala by letter with this information.

RHONDA LYNK-PEARSON, CAPELLA UNIVERSITY STUDENT

Rhonda Lynk-Pearson corresponded to the Board by letter stating that she is currently a student at Capella University in the doctoral program. She stated that she would like to know why the Board does not recognize Capella University's residency program. Ms. Lynk-Pearson stated that she would like to complete a one year, onsite residency. Dr. Alford stated that he would correspond with Ms. Lynk-Pearson by letter stating that one person with a doctoral degree from Capella University was licensed as a Psychologist in 2006. The Rules and Regulations were changed in 2007; no student of Capella University has been licensed since the Rules and Regulations changed in 2007. Dr. Alford will also include that Capella University's residency requirements do not meet the Board's requirements, therefore, not meeting licensure requirements.

REVERAND HAROLD BONE, JOE GANN – SAYBROOK GRADUATE SCHOOL

Ms. Pauley stated that these items were removed from the agenda at Rev. Bone's and Mr. Gann's request. They have obtained an attorney, Charles D. Hancock, and would like to approach the Board in March 2009 at the regularly scheduled meeting. The request was made so that the attorney may have preparation time. Dr. Hassel stated that the attorney and the students of Saybrook Graduate School approaching the Board would take up Board meeting time. Saybrook Graduate School does not meet the Board's licensure requirements. Dr. Alford stated that statements were made to Rev. Bone and Mr. Gann by the previous Executive Director, Janet Welsh, so it is in the best interest of the Board to let the attorney and Saybrook Graduate School students approach the Board. Ms. Ford stated that the Board has only received a request to approach the Board. The Board does not have to take any action, may limit the time of the presentation, and/or may deny the current request. Mr. Sperry moved to allow a limited presentation by the attorney and Saybrook Graduate School students at the March 2009 meeting. Mr. Kleitsch seconded the motion. The motion passed unanimously.

Staff Report

DIRECTORS'S REPORT

Ms. Pauley stated that she has provided extensive research concerning Capella University and Saybrook Graduate School.

Ms. Pauley stated that she received correspondence from the Legislative Joint Auditing Committee (LJAC). The letter stated that there was an idea to combine all of the mental health boards in the State of Arkansas but it will not happen. The LJAC requested that Board involvement increase in the Board office activity. The Board stated it was pleased with this decision.

Ms. Pauley stated that Representative Abernathy released the Board's budget on 12/5/2008. Representative Abernathy was obtained by Ashley George, a Capella University student.

Ms. Pauley stated that the budget report for FY09 was exceeded in payroll by \$11,000. This is due to Ms. Welsh retiring on 6/30/2008 and the payroll being paid in 7/2008, the new fiscal year. Ms. Pauley stated that additional appropriations could be requested if needed.

Provisional License Extension Requests

Anita M-Andrews requested a three (3) month provisional license extension. She has taken the Examination for Professional Practice in Psychology (EPPP) two (2) times. Ms. M-Andrews stated that her workload increased when several employees quit without notice. Dr. Kleitsch moved to grant a three (3) month provisional license extension. Mr. Sperry seconded the motion. The motion passed unanimously.

John Phillips requested a provisional license extension until June 2009. Mr. Phillips stated that family issues arose in early 2008 and that he did not have the funds to take the EPPP until December 2008. Dr. Hassel moved to deny Mr. Phillips' request stating that the family issues did not include immediate family, the family incident occurred almost one (1) year ago, and the Board cannot be held responsible if an applicant does not have the funds for the application or tests needed for the application process. Mr. Sperry seconded the motion. The motion passed unanimously.

Jon Priest requested a provisional license extension due to immediate family medical issues and not being able to take the EPPP in a timely manner. Mr. Priest stated that he would take the EPPP by the end of May 2009. Mr. Sperry moved to grant a provisional license extension until 6/1/2009. If Mr. Priest passes the EPPP, then the provisional license may be extended until oral examinations in July 2009. If he does not pass the EPPP, he must start a new application. Dr. Russell Dixon seconded the motion. Dr. Hassel opposed. The motion passed.

Rachel Walker requested a one (1) year provisional license extension due to her pregnancy. Ms. Glenn moved to deny Ms. Walker's request. Dr. Hassel seconded the motion. The motion passed unanimously.

Supervisor Status Requests

Dennis Vowell requested supervisor status. He submitted an application, a cover letter, three (3) recommendation letters, one (1) by a licensed Counselor and two (2) by licensed Psychologists, and a copy of his transcript. Ms. Sperry moved to grant Dr. Vowell's request. Dr. Kleitsch seconded the motion. The motion passed unanimously.

Statement of Intent Revisions

Kandi Holmes is an applicant for Psychological Examiner. She submitted a revised Statement of Intent to include the population "children". Ms. Glenn moved to approve the revised Statement of Intent. Mr. Sperry seconded the motion. The motion passed unanimously.

Supervision Agreements

Amber Broadway, Psychological Examiner, requested to change her primary supervisor to Brad Williams, Psychologist. Mr. Sperry moved to approve Ms. Broadway's request. Dr. Kleitsch seconded the motion. The motion passed unanimously.

Examination for Professional Practice in Psychology (EPPP) Score Reconsideration

Pearle Morrison was previously licensed as a Psychological Examiner. In 1995, Ms. Morrison took the EPPP and it appears she had a passing score at the Psychologist level. Professional Exam Services (PES) looked at the score and the passing levels in 1995, and determined that she does not have a passing score for Psychologist. Ms. Morrison applied to upgrade to Psychologist in 2004. Rebecca Wright, Administrative Assistant, informed Ms. Morrison by letter that it appears that Ms. Morrison did not have a passing EPPP score for Psychologist and would need to take the EPPP again and must have a current passing score for Psychologist. Ms. Morrison's Psychological Examiner license lapsed for non-renewal in 2005 and the file was placed on inactive status. Ms. Morrison's application to upgrade lapsed at this time, also. Ms. Morrison contacted the Board office in November 2008 and stated she would like to upgrade to Psychologist. Ms. Wright informed Ms. Morrison that she would have to start a new application file and it would not be an upgrade file. Ms. Wright informed Ms. Morrison that the office would contact PES concerning her score (stated above). Ms. Morrison was not pleased with the answer from PES and behaved inappropriately towards the Board staff when she received this information. Ms. Wright stated to the Board that although Ms. Morrison had not written a letter to the Board to request reconsidering her EPPP score, it was brought to the Board's attention at this regularly scheduled Board meeting by the Board staff so that Ms. Morrison may have a Board response to make a decision of what she would like to do. The Board stated that it would stand by PES's determination and Ms. Morrison would have to take the EPPP again and pass it at a current passing score for Psychologist to apply as a Psychologist. Ms. Morrison must also begin a new Psychologist application if she so chooses. The Board staff will inform Ms. Morrison by letter of the Board's decision.

Release of Disciplinary Actions

Nancy McDonald, Assistant Executive Officer, of the American Board of Professional Psychology (ABPP) Ethics Committee, requested information on a current Psychologist licensee. Dr. Alford stated that as a citizen of the State of Arkansas, he is requesting this information on behalf of APBB, under the Freedom of Information Act (FOIA). The Board staff stated it would comply and would provide the information requested to ABPP.

Christine Cameron of Ingenix requested disciplinary actions taken after 1/20/2006 to present under the FOIA. A citizen of Arkansas must make the request under the FOIA. Ms. Glenn moved to deny the request. Dr. Dixon seconded the motion. The motion passed unanimously.

The Board recessed at 11:29 a.m. for oral examinations.

The Board reconvened to public session at 1:20 p.m.

Adjourn

Mr. Sperry moved to adjourn. Dr. Dixon seconded the motion. The motion passed unanimously. The Board adjourned at 2:00 p.m.