

Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
November 16, 2012

CALL TO ORDER

The Arkansas Psychology Board meeting was called to order by the Chair, Dr. Edward Kleitsch, at 10:25 AM.

ROLL CALL

Board Members present: Dr. James Fuendeling, Ms. Elizabeth Glenn, Ms. Gloria Gordon, Dr. Judd Harbin, Mr. Christopher Hoggard, Dr. Edward Kleitsch, Dr. Lisa McNeir, and Dr. Gary Souheaver.

Staff Members present: Mr. James Ammel, Ms. Amy Ford, Ms. Sheila Pauley and Ms. Maggie Sponer.

APPROVAL OF AGENDA

Dr. Kleitsch presented the agenda to the Board. Ms. Glenn made a motion to approve the additions to the Agenda. Dr. Souheaver seconded the motion. The motion passed unanimously.

APPROVAL OF PAST MINUTES

Dr. Harbin made a motion to approve the October 19, 2012 Board Meeting Minutes after corrections. Ms. Glenn seconded the motion. The motion passed unanimously.

REPORT FROM THE COMPLAINT COMMITTEE

C-11-09 [Rec'd 12/21/11]
ADVISORY ITEM

RESPONDENT: Psychologist who allegedly engaged in multiple relationships involving the complainant's sons and her ex-husband. STATUS: The allegations had insufficient proof that would withstand an appeal of any sanction. Respondent, however, made opposite statements to the court involved in the underlying domestic relations case and to APB as to whether he ever had a social relationship with the dad to whom he supplied some psychological services. The Committee issued a "letter of Concern" pertaining to the impossibility of both versions being correct, and that letter was placed in Respondent's Complaint file and his general licensure file. Thereafter, Respondent procured legal services, and his attorney objected to the wording of the letter and its placement and dissemination to the Complainant. The lawyer's argument was that not all

dual relationships are prohibited, and he demanded a hearing if not all of his requests were met. Accordingly, Respondent was advised by a subsequent "results letter" that, indeed, no finding of a violation had been made, that no sanction had been imposed, and that this letter would replace the previous one and be only placed in the Complaint file to document its closure (with the previous letter removed from the licensure file), with copy going to the Complainant and the attorney. It was also explained that with no violation finding and no sanction, there was no right to a hearing. This matter remains closed.

C12-03 – 12-05 [Rec'd 5/18/12 & 6/15/12]
ACTION ITEM

RESPONDENTS: Two neuropsychologists who are perceived to have violated various regulations pertaining to registration and use of technicians on multiple occasions.

STATUS: The Board previously authorized an attempt to resolve these three (3) cases via 2 separate Consent Orders issued to each Respondent and which would incorporate a letter of reprimand and a \$5,000 fine for each. Respondents' lawyer met several times with some of the Screening Committee and requested some revisions to the proposed Orders. Those revisions were presented to the Board and were (somewhat reluctantly) authorized. Accordingly, the Consent Orders were revised to remove the "letter of reprimand" and replaced with a one-year probation pending absence of any further similar violations and with Respondents' practice being subject to a random audit within that year's time to verify compliance with the various applicable regulations. The \$5,000 fines stayed the same and one alleged violation (failure to timely renew a tech's registration) was eliminated for one of the Respondents. We are awaiting return of the endorsed Consent Orders.

C-12-10 [Rec'd 10/06/12]
ADVISORY ITEM

COMPLAINANT: A federal prison inmate complained that an evaluating psychologist's conclusion that the inmate was feigning mental illness to get a different placement site/conditions and a different work assignment was incorrect based on several other evaluations that found diagnosable conditions and was merely a[n] (unexplained) cover-up for the institution and its staff.

RESPONDENT: The prison psychologist who, from the contents of his report, apparently conducted an adequate examination sufficient to support the conclusions he made, despite other evaluations' findings.

STATUS: The Screening Committee administratively dismissed this complaint on the basis that, considering the adequacy of the examination and stated rationales, respondent's drawn conclusions fell within the realm of permissible professional

judgment variance afforded to licensed practitioners and there was no discernible violation. Complainant has been so advised.

C-12-11 [Rec'd 11/01/12]
ADVISORY ITEM

COMPLAINANT: A psychological examiner director of a university's learning center complained that a psychologist's report of evaluation contained considerably different test scores and conclusions about the examinee's mental health than were obtained in previous and subsequent evaluations by other licensees. The competence of Respondent was called into question. Various reports were supplied.

RESPONDENT: Psychologist who administered a comprehensive battery of intellectual, achievement, and personality psychological assessment instruments and who reported all obtained scores and concluded the examinee was of borderline intelligence, had learning difficulties, and showed emotional disturbance. [Incidentally, Respondent recommended some of the very academic support that the learning center had also concluded was needed and was apparently providing.]

STATUS: The Screening Committee administratively dismissed this complaint based on its assessment that reported test results could be construed to produce the conclusions drawn by Respondent and the examination appeared to be thorough with no provable indication of apparent incompetence. Complainant was so advised of the dismissal, with the supplied rationale being that there could be a number of legitimate reasons for some score discrepancies other than professional incompetence and that Respondent's drawn conclusions fell within the realm of permissible professional judgment variance afforded to licensed practitioners.

Board members were reminded that two (2) back-to-back hearings would be conducted at the next Board meeting on December 14, 2012, commencing at 9:00 a.m.

OLD BUSINESS

Completion of 3,000 hours towards Independent Status/ Statement of Intent to reflect Independent Status

Ms. Rhonda Blackwell appeared before the Board to answer any question regarding the submitted Licensee Supervision Completion PE – Independent Practice form and a revised Statement of Intent reflecting Independent Status. The Board requires Ms. Blackwell to provide supervision logs as documentation that she was receiving weekly, individual, one hour, face-to-face supervision during the period that she was accruing the 3,000 hours towards Independent Status.

Statement of Intent Revisions

Ms. Heather Dees submitted a revised Statement of Intent to include the practice of Projective Tests, Objective Personality Testing, Consultation, Diagnostic Interviewing, Couples/Marital Therapy, Family Therapy, and the population of Children. Mr. Hoggard made a motion to approve the request. Ms. Glenn seconded the motion. Dr. McNeir abstained. The motion passed. In addition, Ms. Dees submitted a Supervision Agreement and Plan, indicating Dr. Ronald Bramlett as her Supervising Psychologist. Dr. Souheaver made a motion to deny the request based on the fact that Ms. Dees failed to indicate if Dr. Bramlett was a New Primary Supervisor, or a New/Secondary Supervisor. Ms. Glenn seconded the motion. Dr. McNeir abstained. The motion passed.

Mr. Jeremy Jinkerson submitted a revised Statement of Intent to the updated form. Dr. Souheaver made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously. In addition, Mr. Jinkerson submitted a Licensee Supervision Plan – PE Independent Status to reflect his part time employment. Ms. Glenn made a motion to deny the request based on individual supervision indicating bimonthly for one hour instead of weekly, and to advise Mr. Jinkerson to use the updated Supervision Agreement and Plan form. Dr. Harbin seconded the motion. The motion passed unanimously.

Supervision Agreement and Plan

Ms. Jennifer Downey submitted a revised Supervision Agreement and Plan, indicating Dr. Jayne Bellando as her New Primary Supervisor. Ms. Glenn made a motion to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Maria Naldi submitted a revised Supervision Agreement and Plan, indicating Dr. Lisa Evans, as her New Primary Supervisor, and Dr. Gary Schroeder, as her Secondary Supervisor. Dr. Harbin made a motion to approve the request and to advise Ms. Naldi if she wishes to practice Family Therapy, she must get a Secondary Supervisor. Ms. Glenn seconded the motion. The motion passed unanimously.

Clarification Letters

Ms. Wendy Newsam submitted a letter to the Board inquiring what the correct protocol was for supervision during vacation and holiday times. The Board tabled this matter until the next Board Meeting.

Mr. Dustin Roberson appeared before the Board with his supervising psychologist, Dr. James Vasilos, in order to clarify supervision requirements based upon Quarterly Reports that were submitted to the Board. Dr. Souheaver made a motion to indicate that Mr. Roberson was receiving supervision without the appropriate documentation submitted to the Board for the period in question. Ms. Glenn seconded the motion. Dr. Harbin made a motion to have Mr. Roberson and Dr. Vasilos provide the Supervision Logs to add as

additional documentation that Mr. Roberson was practicing under supervision. Dr. Souheaver seconded the motion. Both motions passed unanimously.

Dr. Femina Vorghese submitted a letter to the Board clarifying her supervision sessions on her Quarterly Reports during the summer months. Ms Glenn made a motion to accept the clarification. Dr. Souheaver seconded the motion. Dr. McNeir abstained. The motion passed.

Recess/Reconvene

The Board recessed at 11:43 am.

The Board reconvened at 12:00 pm.

NEW BUSINESS

The Board instructed staff to make a concerted effort to make licensees aware of the Agendas for the Board Meetings via electronic notifications. The Board determined not to send out Newsletters.

Recess/Reconvene

The Board recessed for lunch at 12:20 am.

The Board reconvened from lunch at 1:05 pm

Personnel Committee

Dr. Souheaver informed the Board that the Personnel Committee had no meeting and no report.

Treasurer's Report

Mr. Hoggard informed the Board that Ms. Pauley was able to correct our budget for FY13 (Fiscal Year 2013). There is currently \$143,600 remaining for the current fiscal year.

Mr. Hoggard notified the Board that the Budget Ad Hoc Committee will wait until reappointments are made in January 2013 to schedule a meeting.

Director's Report

Ms. Pauley notified the Board the Dr. Jennifer Gess had contacted the Board office with questions regarding hiring Neuropsychological Technicians that have training in Tests and Measurements, but do not have the actual coursework. Dr. Souheaver stated that the Law requires Neuropsychological Technicians to have the course of Tests and

Measurement. Dr. Kleitsch stated that he notified Dr. Gess to have the prospective employee take the course prior to employment, or hire an LPE that has Neuropsychological Assessments approved on their Statement of Intent.

Ms. Pauley informed the Board that January through April 2012 approved Board Minutes *are currently on the webpage. Ms. Pauley requested that Ms. Sponer scan and email the minutes once corrections are made and approved, in order to expedite the process of having them available on the website.*

Ms. Pauley stated that she has been comparing the Rules revision with Chapter 97. ASPPB has a list of CE activities and how many credits are given for each activity. Ms. Pauley is requesting the Board incorporate the ASPPB's guidelines that correspond to the APB Rules and Regulations. This will eliminate confusion from licensees as to how many CE credits they can receive regarding certain activities. The Board determined to review these guidelines at the next Board Meeting.

Ms. Pauley stated that she had attended a Legislative Bureau Meeting with Ms. Gordon and Mr. Ammel. This meeting was to indicate which agencies would be relocated under the Department of Health. The Arkansas Psychology Board (APB) was not one of the agencies to become incorporated into the Department of Health.

Ms. Pauley informed the Board that she met with Kay Terry of the office of Personnel Management. Ms. Terry advised Ms. Pauley to resubmit everything and to have documentation of comparison between her duties and other Executive Director's for the January 2013 Meeting. Ms. Terry also indicated that classifying Ms. Pauley to a C120 would increase her salary by \$11,000 instead of the original request by the Board of \$5,000.

Ms. Pauley notified the Board that Ms. Sponer had filed a police report with the Little Rock Police Department due to prescription medication going missing from her purse. An employee from the agency adjacent to the APB office was coming in through a door that connects both offices and going through Ms. Sponer's purse located inside of her desk. A copy of the police report and a copy of the video showing the employee going through Ms. Sponer's purse was given to the Prosecuting Attorney's office. The Prosecuting Attorney's office will contact Ms. Sponer to have an affidavit sent to the Circuit Court to issue a warrant for criminal trespassing.

Dr. Kleitsch notified the Board that ASPPB is sending informative information regarding Applied Behavior Analyst. Behavior Analyst appear to be licensed because they are Board Certified. However, Behavior Analyst are not necessarily licensed and this appears to pose a risk to consumers.

Board Business

Extension of Provisional Licensure

Ms. Cynthia Putnam requested the Board grant her a six month extension due to medical reasons. Dr. Fuendeling made a motion to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Request to begin accruing 3,000 hours towards Independent Status

Mr. Tim Hughes submitted a Supervision Agreement and Plan, indicating Dr. Richard Moore as his New Primary Supervisor while accruing 3,000 hours towards Independent Status. Dr. Souheaver made a motion to deny the request based on the fact that Mr. Hughes failed to indicate the length of weekly supervised sessions. Upon resubmittal of the Supervision Agreement and Plan stating one hour individual face to face weekly supervision, the Board staff may approve the request. Mr. Hughes may not begin accruing 3,000 hours until this form has been reviewed. Dr. McNeir seconded the motion. The motion passed unanimously.

Statement of Intent Revisions

Ms. Tania Akhtar submitted a revised Statement of Intent to include the practice of Objective Personality Testing and Couples/Marital Therapy for consideration by the Board. Dr. Harbin made a motion to approve the six month extension. Dr. Souheaver seconded the motion. The motion passed unanimously.

Supervision Agreement and Plan

Ms. Tania Akhtar submitted a Supervision Agreement and Plan, indicating Dr. Alan Kauffman as her New Primary Supervisor. Ms. Glenn made a motion to approve the request. Dr. Harbin seconded the motion. The motion passed unanimously.

Dr. Liz Bucolo submitted a Supervision Agreement and Plan, indicating Dr. Joyce Fowler as her New Primary Supervisor. Dr. Harbin made a motion to approve the October 31, 2012 Supervision Agreement and Plan as soon as she indicates if Dr. Fowler is a New Primary Supervisor or a New Secondary Supervisor. Dr. Souheaver seconded the motion. The motion passed unanimously. The Board did not approve the Supervision Agreement and Plan dated November 9, 2012 due to the fact that Hypnosis, Biofeedback, and Neuropsychology were not on her Statement of Intent. The Board determined there was no need to revise the Supervision Agreement and Plan in order to be supervised in testing. The Board wanted to inform Ms. Bucolo to be aware that she may not supervise anyone doing Neuropsychological Testing.

Dr. Amy Claxton submitted a Supervision Agreement and Plan, indicating Dr. Brad Williams as her Supervising Psychologist. Ms. Glenn made a motion to approve Ms. Claxton's Supervision Agreement and Plan pending that she indicates if Dr. Williams

will be her New Primary Supervisor or Secondary Supervisor. Dr. McNeir seconded the motion. The motion passed unanimously.

Ms. Sissy Gray submitted a Supervision Agreement and Plan, indicating Dr. Dan Johnson as her New Primary Supervisor. Dr. Fuendeling made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Ms. Erika Griffin submitted a Supervision Agreement and Plan, indicating Dr. Kami Mays Hunt as her New Primary Supervisor. Dr. Harbin made a motion to approve the request. Dr. Souheaver seconded the motion. Dr. McNeir abstained. The motion passed.

Mr. Paul Gunter submitted a Supervision Agreement and Plan, indicating Dr. Del Thomas as his New Primary Supervisor. Dr. McNeir made a motion to approve the request. Ms. Glenn seconded the motion. The motion passed unanimously.

Ms. Jessica Shenese submitted a Supervision Agreement and Plan, indicating Dr. David Margolis as her New Primary Supervisor. Dr. Harbin made a motion to approve the request. Ms. Glenn seconded the motion. The motion passed unanimously.

Mr. Scott Smith submitted a Supervision Agreement and Plan, indicating Dr. Andrea Shea Stillwell as his New Primary Supervisor. Ms. Glenn made a motion to approve the request. Dr. Fuendeling seconded the motion. Dr. McNeir abstained. The motion passed.

Supervisory Status

Dr. Beth Meyer-Bulley submitted a Supervisory Status Application, three letters of reference, and documentation of training and/or education to the Board for consideration. Ms. Glenn made a motion to table the request until one of Dr. Meyer-Bulley's references can be verified. Dr. Souheaver seconded the motion. The motion passed unanimously.

Dr. Brandi Whitaker submitted a Supervisory Status Application, three letters of reference, and documentation of training and/or education to the Board for consideration. Dr. Souheaver made a motion to approve the request. Dr. Harbin seconded the motion. The motion passed unanimously.

The Board discussed the schedule for 2013 Board Meetings. Dr. Souheaver made a motion to keep the third Friday of every month for Board Meeting days with the exception of December. The December Board Meeting will be the second Friday of the month. Dr. Harbin seconded the motion. The motion passed unanimously.

Recess/Reconvene

The Board recessed at 2:10 pm.

The Board reconvened at 2:15 pm.

CREDENTIAL REVIEWS

1. Ms. Lynn Ann Nicholson's credentials were presented to the Board for approval as Applicant Examiner Provisional License. The Credential Review Committee made a fully seconded motion to approve her credentials and grant Provisional Licensure. The motion passed unanimously.
2. Dr. Pamela Pepper's credentials were presented to the Board for approval as Applicant Psychologist Provisional License. The Credential Review Committee made a fully seconded motion to approve her credentials and grant Provisional Licensure. The motion passed unanimously.

QUARTERLY REPORTS

The Credential Review Committee made a full seconded motion to approve the following Quarterly Report forms:

1. Ms. Elizabeth Chaisson's Quarterly Reports for the periods of August 1, 2012 – October 31, 2012.
2. Ms. Jennifer Downey's Quarterly Report for the periods of April 16, 2012 – July 15, 2012 and July 2012 – October 2012.
3. Ms. Alice Keener's Quarterly Report for the period of July 17, 2012 – October 17, 2012.
4. Mr. Marianna Naldi's Quarterly Report for the period of July 2012 – October 2012.
5. Dr. Stephanie Nevin's Quarterly Reports for the periods of April 20, 2012 – July 20, 2012 and July 20, 2012 – October 20, 2012.
6. Ms. Cynthia Putnam's Quarterly Report for the periods of March 2012 – July 2012 and July 11, 2012 – October 11, 2012.
7. Dr. Kaye Ramsey's Quarterly Report for the periods of April 16, 2012 – July 16, 2012 and July 16, 2012 – October 16, 2012.
8. Ms. Karen Rineheart's Quarterly Report for the periods of June 12, 2011 – September 9, 2011, March 11, 2012 – June 11, 2012, and June 12, 2012 – September 12, 2012.
9. Dr. Cristina Shaw's Quarterly Report for the period of July 23, 2012 – October 17, 2012.

10. Ms. Maureen Skinner's Quarterly Report for the period of July 2012 – October 2012.
11. Dr. Rose Smith's Quarterly Report for the period of June 18, 2012 – September 18, 2012.
12. Mr. Matthew Strickland's Quarterly Report for the period of January 2012 – March 2012 and April 2012 – June 2012.

The motion passed unanimously.

Ms. Wendy Newsam's Quarterly Report for the period of October 2012 was tabled until the December Board Meeting.

ADJOURN

Ms. Glenn made a motion to adjourn. Dr. McNeir seconded the motion. The motion passed unanimously. The Board adjourned at 3:10 PM.