

[|]Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
August 16, 2013

CALL TO ORDER

The Arkansas Psychology Board meeting was called to order by the Chair, Dr. Edward Kleitsch, at 10:15 AM.

ROLL CALL

Board Members present: Ms. Dixie Bryson, Dr. James Fuendeling, Ms. Gloria Gordon, Mr. Skip Hoggard, Dr. Edward Kleitsch, Dr. Lisa McNeir, and Dr. Gary Souheaver.

Board Members excused: Dr. Kevin Reeder

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

Dr. Kleitsch informed the Board that he will be absent from the September 20, 2013 Board Meeting.

APPROVAL OF AGENDA

Dr. Souheaver made a motion to approve the agenda. Dr. McNeir seconded the motion. The motion passed unanimously.

APPROVAL OF PAST MINUTES

Ms. Gordon made a motion to approve the July 19, 2013 Board Meeting Minutes after grammatical corrections. Dr. Souheaver seconded the motion. The motion passed unanimously.

REPORT FROM THE COMPLAINT COMMITTEE

11-05 UPDATE (Dr. Richard Barrett): Assistant Attorney General Amy Ford will present an update to the Board at its September Meeting. [Dr. Barrett had been invited to that meeting after the August Board meeting but subsequently declined.]

12-13 UPDATE: The Board was advised that this matter was still in the “tabled” status and more research would be done on the Woodcock-Johnson tests being administered by bachelor degreed individuals (not neuropsych techs) to determine the exact nature of these tests (i.e., solely psychological tests or what?).

13-06 [Rec'd 07/02/13]

COMPLAINANT: A court-appointed permanent legal guardian of a minor child protested that the mother of that child, who had court-ordered supervised visitation re-established, took the child during a visitation to the Respondent Psychologist for an evaluation without the guardian's knowledge or consent.

RESPONDENT: A psychologist who evaluated the ward at the natural mother's (and her attorney's) request. The Respondent has not yet been advised of this complaint as is explained following.

RECOMMENDATION/STATUS: After interview of the Complainant by the Board's Investigator, the Screening Committee recommended that this complaint be dismissed due to the lack of an apparent "consent" violation (under both APA Standards and HIPAA regulations regarding which individuals can be considered to be a "legally authorized person to provide consent for services to a minor child). This case has a number of similarities to a prior case (04-15) that was decided in favor of the Respondent. Eight (8) years ago the Screening Committee (then-constituted of 2 out of its 3 current members) decided that APA Standards, Arkansas statutes/regulations/ and HIPAA regulations did not definitively prohibit any natural parent (custodial or not), absent termination of parental rights (by court order or via adoption) or by specific court-order language actually limiting such consent authority prohibiting a natural parent from exercising legally-sufficient authority to consent to services to a minor, from providing such consent for psychological services of that parent's minor. A review of the guardianship court order contained no such limiting language, and adoption proceedings instituted by the guardian had not yet been adjudicated at the time of the Respondent's services nor when the complaint was submitted (as admitted by the guardian). To maintain precedent and consistency in Committee/Board determinations (under the same rationale applied 8 years ago), the Board adopted its unanimous Screening Committee's recommendations that this case be dismissed due to no apparent ethical/regulatory violation on the part of the Respondent. That recommendation was adopted by the Board. The Respondent will be issued a notification of his complaint's dismissal under the previously-stated rationale, and the Respondent will be issued a copy of that advisory dismissal letter, a copy of the Complaint, and an advisory warning to consistently inquire about the legal authority of the service-requestor to provide consent for the request regarding minors, specifically, and anyone in general (e.g., inquiring whether there are any court orders involving the potential service(s) recipient or the authority of the requester to provide legally/ethically-sufficient informed consent for services).

3-05 The Board was reminded that a hearing (postponed from August) would be conducted regarding its denial of "licensure-applicant" status to Mr. Gann on September 20, 2013, at 10:00 a.m.

NEW BUSINESS

Personnel Committee

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

Treasurer's Report

Mr. Hoggard notified the Board that bank reconciliations for the months of April through June 2013 have been completed and submitted. Mr. Hoggard stated the bank statements balanced and all the bills been paid or are pending approval.

Director's Report

Ms. Pauley notified the Board that Part B of the Closing Books is the last report she needs to complete.

Ms. Pauley informed the Board that the representative from Department of Finance and Administration (DFA) she had been working with regarding Mr. Ammel is no longer at DFA. Due to this fact, Ms. Pauley sent all of the documentation related to Mr. Ammel to DFA in an attempt to resolve this issue. Ms. Pauley indicated that the Auditor went through DFA's Policies and Procedures with her to help resolve the issues with professional services. Ms. Pauley and the Auditor worked on a justification letter to Department of Finance (DFA).

Ms. Pauley stated that during license renewals the Board office ran out of card stock to print license cards. The card stock available in the Board office indicated a Control Number instead of the Issue Date. It took about two weeks to receive the corrected card stock. In addition, some licensees were not able to login to the website, so Board staff assisted these licensees with their renewals. Several licensees tried to renew as Voluntary Inactive and had to be notified that this renewal was a paper form.

Ms. Pauley indicated that the Credential Review worksheets currently has the appearance that Ms. Sponer is verifying coursework, Internships, etc. and therefore making a Board determination. Ms. Pauley suggested that Ms. Sponer review all documents for accuracy, grades, etc., but just indicate that these documents have been received and then the Credential Review Committee can review and approve that applications. In addition, Ms. Pauley said that we need an additional Board Member to take Ms. Glenn's spot on the Credential Review Committee. Mr. Hoggard volunteered and advised that he would train Ms. Bryson on Credential Reviews.

Board Business

Dr. Bob Doyle requested the Attorney General's opinion on how test data can and cannot be disclosed without violating the ethical code. Ms. Ford advised that this might be more of an Association issue rather than an issue for the Board. Dr. Souheaver made a motion to send a letter notifying Dr. Doyle that it is not appropriate to seek the Attorney General's opinion at this time and recommended the Association take this issue up with the legislature. Dr. McNeir seconded the motion. The motion passed unanimously.

Recess/Reconvene

The Board recessed at 11:50 AM.

The Board reconvened at 12:45 PM.

Begin Accruing 3,000 hours towards Independent Status

Ms. Cassandra Ingram submitted a Supervision Agreement and Plan to begin accruing 3,000 hours toward Independent Status as a Licensed Psychological Examiner (LPE), indicating Dr. Carl Reddig as her Primary Supervisor. Dr. Fuendeling made a motion to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Christine Lin submitted a Supervision Agreement and Plan to begin accruing 3,000 hours toward Independent Status as a Licensed Psychological Examiner (LPE), indicating Dr. Chrystal McChristian as her Primary Supervisor. Dr. Souheaver made a motion to approve the request. Ms. Bryson seconded the motion. The motion passed unanimously.

Ms. Serena McKnight submitted a Supervision Agreement and Plan to begin accruing 3,000 hours toward Independent Status as a Licensed Psychological Examiner (LPE), indicating Dr. Adam Benton as her Primary Supervisor. Mr. Hoggard made a motion to approve the request. Dr. McNeir seconded the motion. The motion passed unanimously.

Ms. Jessica Miller submitted a Supervision Agreement and Plan to begin accruing 3,000 hours toward Independent Status as a Licensed Psychological Examiner (LPE), indicating Dr. Angela Sanders as her Primary Supervisor. Dr. Fuendeling made a motion to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Maureen Skinner submitted a Supervision Agreement and Plan to begin accruing 3,000 hours toward Independent Status as a Licensed Psychological Examiner (LPE), indicating Dr. Joe Alford as her Primary Supervisor. Mr. Hoggard made a motion to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Letters/Questions from Licensees

Ms. Julia Englund submitted a letter to the Board for consideration requesting approval of her Pre-Doctoral Internship. Dr. Souheaver made a motion to deny the request based on the fact that only one (1) Staff Psychologist was identified. According to the Rules and Regulations §5.4.F.(2)(c): *The internship agency must have two or more Psychologists on the staff as supervisors, at least one of whom must be actively licensed as a Psychologist by the State Board of Examiners.* Dr. McNeir seconded the motion. The motion passed unanimously.

Ms. Allie Wakefield submitted a letter to the Board for consideration, requesting additional time to take her Oral Exam due to financial hardships. Dr. Souheaver made a motion to have Ms. Wakefield take Oral Exams in October and grant full licensure contingent upon her passing the EPPP. Dr. McNeir seconded the motion. The motion passed unanimously.

Statement of Intent Revisions

Ms. Rhonda Blackwell submitted a revised Statement of Intent on the updated form. Dr. McNeir made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Mr. Tyler Crittenden submitted a revised Statement of Intent, indicating Adolescents as a population to serve. Mr. Hoggard made a motion to approve the request. Ms. Bryson seconded the motion. The motion passed unanimously.

Dr. Christen Holder submitted a revised Statement of Intent, indicating Adults as a population to serve. Dr. Fuendeling made a motion to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Dr. Chrystal McChristian submitted a revised Statement of Intent, indicating Adults as a population to serve. Dr. Fuendeling made a motion to approve the request. Ms. Bryson seconded the motion. The motion passed unanimously.

Supervision Agreement and Plan

Ms. Kerrie Armstrong submitted a Supervision Agreement and Plan, indicating Dr. Lisa Evans as her New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Kelly Ayers submitted a Supervision Agreement and Plan, indicating Dr. Toni Barber as her New Primary Supervisor while accruing hours towards Independent Status. Dr. Souheaver made a motion to deny the request based on the fact that the frequency of supervision is unclear. Dr. McNeir seconded the motion. The motion passed unanimously.

Ms. Rhonda Blackwell submitted Supervision Agreements and Plans, indicating Dr. Larry Evans and Dr. Elizabeth Pulliam as her New Primary Supervisors. Dr. McNeir made a motion to approve the request. In addition, Dr. McNeir made a motion to table Ms. Blackwell's Independent Status request to next month's Board Meeting in order to make sure that she has met the requirements for Independent Status. Dr. Fuendeling seconded both motions. The motions passed unanimously.

Ms. Marielle Falki submitted a Supervision Agreement and Plan, indicating Dr. Mark Clark as her New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Dr. Christen Holder submitted Supervision Agreements and Plans, indicating Dr. Jeffrey Snow as her Primary Supervisor, and Dr. Kelly Pizzitola Jarratt as her Secondary Supervisor. Dr. Fuendeling made a motion to approve the requests. Dr. Souheaver seconded the motion. The motion passed unanimously.

Dr. Krista Nelson submitted a Supervision Agreement and Plan, indicating Dr. Charles Spellman as her New Primary Supervisor. Dr. McNeir made a motion to approve the request. Ms. Bryson seconded the motion. The motion passed unanimously.

Ms. Samantha Short submitted a Supervision Agreement and Plan, indicating Dr. Margolis as her New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Mr. Richard Sylvester submitted a Supervision Agreement and Plan, indicating Dr. Margolis as his New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Dr. Karin Vanderzee submitted Supervision Agreements and Plans indicating Dr. Benjamin Sigel as her New Primary Supervisor, and Dr. Glenn Mesman and Dr. Teresa Kramer as her Secondary Supervisors. Dr. Souheaver made a motion to approve the request contingent upon the receipt of her Final/Official Transcript within 30 days. Ms. Gordon seconded the motion. The motion passed unanimously.

Dr. Kathy White submitted a Supervision Agreement and Plan, indicating Dr. Charles Mallory as her New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Ms. Bryson seconded the motion. The motion passed unanimously.

CREDENTIAL REVIEWS

1. Dr. Amber Hudspith and Dr. Kristen Waldemayer's credentials were presented to the Board for approval as Applicant Psychologist Provisional Licensees. Mr. Hoggard made a motion to approve the credentials and grant Provisional Licensure. Dr. Souheaver seconded the motion. The motion passed unanimously.

2. Dr. Eileen Chaves' credentials were presented to the Board for re-review as an Applicant Psychologist Provisional Licensee. Dr. Souheaver made a motion to approve the credentials once Dr. Chaves revised her Statement of Intent to remove Biofeedback and Neuropsychology. Mr. Hoggard seconded the motion. The motion passed unanimously.

QUARTERLY REPORTS

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

1. Dr. Liz Bucolo's Quarterly Reports for the period of March 18, 2013 – June 18, 2013.
2. Mr. James Derrick's Quarterly Reports for the period of March 1, 2013 – June 1, 2013.
3. Dr. Christen Holder's Quarterly Reports for the period of February 2013 – May 2013.
4. Mr. William James' Quarterly Reports for the period of April 19, 2013 – June 14, 2013.
5. Ms. Tharwat Lovett's Quarterly Reports for the period of May 1, 2013 – May 31, 2013.
6. Dr. Deborah McLane's Quarterly Reports for the period of March 2013 – June 2013.
7. Ms. Megan Revada's Quarterly Reports for the period of January 15, 2013 – April 1, 2013.
8. Ms. Jessica Shenese's Quarterly Reports for the period of April 2013 – June 2013.
9. Ms. Allie Wakefield's Quarterly Reports for the period of April 1, 2013 – June 1, 2013.
10. Mr. Patrick Wells' Quarterly Reports for the period of January 18, 2013 – April 18, 2013.
11. Dr. Lacey Willett's Quarterly Reports for the period of March 15, 2013 – July 15, 2013.

12. Dr. Eva Windsor's Quarterly Reports for the period of February 2013 – April 2013.

13. Dr. Kathy White's Quarterly Reports for the periods of March 10, 2013 – April 19, 2013 and April 20, 2013 – June 21, 2013.

ADJOURN

Dr. Souheaver made a motion to adjourn. Dr. McNeir seconded the motion. The motion passed unanimously. The Board adjourned at 2:06 PM.