

Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
August 21, 2015

CALL TO ORDER

The Arkansas Psychology Board meeting was called to order by the Chair of the Board, Dr. Edward Kleitsch, at 10:50 AM.

ROLL CALL

Board Members present: Ms. Dixie Bryson, Dr. Betty Everett, Dr. Joyce Fowler, Dr. Art Gillaspay, Mr. Skip Hoggard, Dr. Kevin Reeder, Dr. Edward Kleitsch and Dr. Jawahar Mehta.

Board Members excused: Ms. Sharon Hoehn

Staff Members present: Mr. James Ammel, Ms. Maggie Sponer, and Ms. Brandi Thompson.

Mr. Edward Armstrong and Ms. Nina Carter were present as the Board's Attorney General Representatives.

Ms. Gail Ragland was present as the Governor's Liaison.

APPROVAL OF AGENDA

Dr. Reeder made a motion to approve the agenda. Dr. Art Gillaspay seconded the motion. The motion passed unanimously.

APPROVAL OF PAST MINUTES

Dr. Gillaspay made a motion to approve the July 17, 2015 Board Meeting Minutes as amended. Ms. Bryson seconded the motion. The motion passed unanimously.

REPORT FROM THE COMPLAINT COMMITTEE

(submitted by Mr. Ammel)

C-15-03 [Rec'd 04/20/15]

BOARD ACTION TAKEN

COMPLAINANT: Wife of an urologist who initially had Respondent as a patient. Subsequently, a social relationship was established between husband and Respondent that included admitted sexual relations. Wife also believed that there was a psychologist/client relationship, and she filed a sex-with-client complaint.

RESPONDENT: A provisionally-licensed psychologist whose lawyer eventually admitted the sexual relationship but denied there ever was any psychologist/client relationship between the urologist and the licensee.

STATUS/RECOMMENDATIONS: The APA ethical standards involving sex with a client (either before therapy, during therapy, or after therapy has stopped within (2 years) involves a 2-pronged requirement: a sexual relationship and a psychologist-client relationship. The first prong herein was admitted, but proof of a licensee/client relationship was more problematic. There were no billing records for professional services, there were no records of office visits by the husband, a third-party witness confirmed an admission by the husband that both prongs had occurred but later backed out of submitting an affidavit to that effect (and could not be subpoenaed as not being an Arkansas resident), an LPC who provided marital counseling to the Complainant and husband and was alleged by Complainant to have heard the same admission by husband regarding both prongs but who could not confirm or deny such an admission due to confidentiality reasons, and there a raft of emails between husband and Respondent that only vaguely hinted at the occurrence of the second prong. However, the Board's investigator could provide "hearsay" testimony of what the third-party witness had revealed in a phone conversation about husband's admission since administrative proceedings allow use of hearsay. The Screening Committee recommended an attempt at a Consent Order resolution, but after lengthy consideration the Board voted to dismiss the case due to lack of substantial evidence regarding the necessary licensee/client relationship, but with the proviso that the case could be re-opened should additional sufficient evidence be subsequently provided or was obtained. The Complainant and Respondent's attorney were advised of that result.

Recess/Reconvene

The Board recessed for lunch and Credential Reviews at 12:15 pm.
The Board reconvened at 1:01 pm.

OLD BUSINESS

Mr. Mark Clark submitted a letter requesting the Board consider approving the Internship site with only one (1) Supervising Psychologist. Mr. Hoggard made a motion to deny the request based upon Section 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. Fowler seconded the motion. The motion passed unanimously.

NEW BUSINESS

Personnel Committee Report

Dr. Fowler informed the Board that the Personnel Committee met in Executive Session to address personnel issues. Specifically, performance concerns have been raised regarding personnel performance of our Executive Director (Mrs. Sponer) and Vendor/ Investigator

(Mr. Ammel). Ongoing upset, lack of clarity regarding the new contract parameters, and related roles and responsibilities are the primary issues identified. These issues are significantly impacting the functioning of the Board's business.

Action Item #1:

Request the Attorney General Representative (Mr. Armstrong) today to provide his observations due to his experience of working closely with Mrs. Sponer and Mr. Ammel relative to the Board's business.

Action Item #2:

Set up meeting with Office of State Procurement (OSP) for input and clarification regarding the Vendor contract.

Treasurer's Report

Mr. Hoggard informed the Board that the available budget is \$ 39,166.91 and that the Board continues to operate within its budget. Mr. Hoggard notified the Board that deposits were made in the amount of \$ 29,418.84 and warrants issued for the month totaled \$ 12,221.66. Finally, Mr. Hoggard explained that the Board's Treasury account ended with an overage for fiscal year FY15.

Recess/Reconvene

The Board recessed for a break at 1:45 pm.

The Board reconvened at 2:10 pm.

Director's Report

Ms. Sponer notified the Board of receiving a letter from Dr. James Carpenter and a revised Statement of Intent, indicating the addition of Neuropsychology along with a letter stating that Dr. Carpenter had completed two (2) years of Clinical Neuropsychological supervision requirements for under the direct supervision of Dr. McInroe. The Board requested that Dr. McInroe submit a letter indicating that Dr. Carpenter has completed the required supervision necessary to add Neuropsychology as an area of practice to his Statement of Intent.

Ms. Bryson forwarded an email regarding the Arkansas Psychology Consortium Continuing Education Workshop (APC) presentation on October 17, 2015; requesting a Board Member to be present to discuss the nature of ethical issues or any changes that may be taking place in with the Board. The Board requested that an email be sent indicating if any Member was available to attend they would try and be at the workshop, but cannot speak on behalf of the Full Board.

Dr. Fowler motioned to disqualify a Senior Psychologist based on the criminal background check indicating certain disqualifying offenses. Mr. Hoggard seconded. The motion passed unanimously.

In addition, an Inactive Psychologist submitted documentation of consent orders in Kentucky, Alabama, and Tennessee, along with documentation stating that he had fulfilled the requirements of the order and requesting to return to Active status. Dr. Fowler made a motion to have the licensee provide documentation that drug screenings are still occurring and if there has ever been a positive result. Dr. Reeder seconded the motion. The motion passed unanimously.

The Medicaid Supervision form for Pre-Doctoral Interns and their Supervising Psychologist was submitted to the Board for approval. Dr. Fowler motioned to approve the form with the addition of the Board's letterhead and seal pending Attorney General Representative's opinion. Dr. Gillaspay seconded. The motion passed unanimously.

Completion of 3,000 hours

Ms. Courtney Johnson submitted Licensee Supervision Completion-Psychological Examiner-Independent form for approval. Dr. Gillaspay made a motion to deny the request based on the fact that Ms. Johnson had not indicated enough supervision hours and requested clarification. Mr. Hoggard seconded the motion. The motion passed unanimously.

Ms. Serena McKnight submitted Licensee Supervision Completion-Psychological Examiner-Independent form for approval. Mr. Hoggard made a motion to approve the request. Dr. Gillaspay seconded the motion. The motion passed unanimously.

Mr. Patrick Wells submitted Licensee Supervision Completion-Psychological Examiner-Independent form for approval. Mr. Hoggard made a motion to approve the request. Dr. Gillaspay seconded the motion. The motion passed unanimously.

Extension for CEU

Mr. James Allen submitted a letter to the Board requesting an extension for CEU's. Dr. Fowler motioned to approve pending Mr. Allen attend a Board Meeting to fulfill his CEUs requirements. Mr. Hoggard seconded the motion. The motion passed unanimously.

Dr. Patrick Mulick submitted a letter to the Board requesting an extension for CEU's. Dr. Fowler motioned to table the request until the September Board Meeting and have Dr. Mulick provide more information regarding the CEUs. Ms. Bryson seconded the motion. The motion passed unanimously.

Licensee Requests

Dr. Tisha Deen submitted a letter and information requesting guidance in "Life Coaching". Dr. Gillaspay motioned to deny request due to APB inability to regulate. Dr. Fowler seconded the motion. The motion passed unanimously.

Mr. Donald Wilson submitted a letter requesting approval of his internship with only one (1) Intern. Dr. Fowler motioned to accept the one intern. Dr. Reeder seconded the motion. The motion passed unanimously.

Reinstate License to Active Status

Dr. Katherine Pope submitted a letter requesting Reinstatement of Licensure. Dr. Everett motioned to accept Dr. Pope's return to Active status, pending receipt of previous renewal fees and last year's CEUs to the Board office. Mr. Hoggard seconded the motion. The motion passed unanimously.

Supervisory Status

Dr. Sufna John submitted an application, along with all supporting documentation, for Supervisor Status. Dr. Gillaspay made a motion to approve. Dr. Reeder seconded the motion. The motion passed unanimously.

Dr. Richard Sylvester submitted an application, along with all supporting documentation, for Supervisor Status. Dr. Fowler motioned to table until September 2015 Board Meeting for more information. Dr. Reeder seconded the motion. The motion passed unanimously.

CREDENTIAL REVIEW

The Credential Review Committee (CRC) made a fully seconded motion to approve the following credentials:

1. Dr. Amy Marshall's credentials were submitted to the Board for consideration as an Applicant Psychologist.
2. Dr. Tiffany West's credentials were submitted to the Board for consideration as an Applicant Psychologist.
3. Ms. Christina Christie's credentials were submitted to the Board for consideration as a Neuropsychological Technician Registration.
4. Ms. Casey Masters' credentials were submitted to the Board for consideration as a Neuropsychological Technician Registration.
5. Ms. Jessica Priest's credentials were submitted to the Board for consideration as a Neuropsychological Technician Registration.

The Board approved the above credential review candidates.

QUARTERLY REPORTS

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

1. Mr. Nicholas Mitrani's Quarterly Report for the period of May 4, 2015 – August 15, 2015.
2. Dr. Crystal Rofhar's Quarterly Report for the period of March 23, 2015 – June 25, 2015.
3. Dr. Kaye Ramsey's Quarterly Report for the period of April 2015 – June 2015.

The Board approved all of the above quarterly reports.

ADJOURN

Mr. Hoggard made a motion to adjourn. Ms. Bryson seconded the motion. The motion passed unanimously. The Board adjourned at 3:44 pm.