

**Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
July 19, 2013**

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: Ms. Dixie Bryson, Ms. Gloria Gordon, Dr. Edward Kleitsch, Dr. Lisa McNeir, and Dr. Gary Souheaver.

Board Members excused: Dr. James Fuendeling, Mr. Skip Hoggard, and Dr. Kevin Reeder.

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

Staff Members excused: Ms. Sheila Pauley.

APPROVAL OF AGENDA

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

APPROVAL OF PAST MINUTES

Dr. Souheaver made a motion to approve the June 21, 2013 Board Meeting Minutes after grammatical corrections. Ms. Gordon seconded the motion. The motion passed unanimously.

REPORT FROM THE COMPLAINT COMMITTEE

11-05 UPDATE: (Dr. Richard Barrett): Respondent submitted queries about the Board's directions regarding an acceptable supervisor and supervision plan. Subsequently, our Assistant Attorney General issued another advisory letter to the Respondent on July 24, 2013, that should adequately address Respondent's concerns as well as those of the Board.

12-13 UPDATE: Research with the tests publisher indicates that administration of these evaluation instruments (Woodcock-Johnson cognitive abilities and achievement) require lesser credentials for test administrators but higher, graduate level credentials for test interpretation. The local attorney proposed a resolution utilizing all currently trained test

administrators (with bachelor's degrees or higher) but henceforth using the facility's licensed psychological examiners to be involved in the interpretation and treatment planning based on the test results. The Board rejected the Screening Committee's recommendation that this proposal be accepted, declaring that the only acceptable resolution would be for both test administrations and test interpretations to be done by Board-licensed psychological practitioners; and this matter was tabled pending further developments. Respondent's attorney has been advised on July 25, 2013, of the Board's position, and his response is awaited. [The following is an excerpt of my 7/25/13 memo to Respondent's attorney that explains the Board's rationale:

The following are the majority of the problems voiced by the Board members:

*1. The W-J tests, being psychological in nature and seemingly used by your clients within that category of assessment instruments, require licensed psychological practitioners for **both administration and interpretation** (with licensed psychological examiners capable of filling both roles in use of those tests). The Board determined, bottom line, that the minimally acceptable use of these tests by your clients required licensed psychological practitioners to, in fact, **fulfill** both roles instead of allowing your clients to use current identified test administrators (non-licensed by APB), even though the tests publisher (Riverside) would seemingly find those current administrators to be qualified. The latter point (Riverside's printed qualifications for administration of their tests) was referenced in my presentation to the Board, but that did not persuade the Board members to adopt the publisher's credentialing in the Board's perception of its duty and responsibility to protect the public in implementation of the psychology licensing statutes and regulations.*

2. As you know, I had requested one or more of your newly assigned psychological examiners to observe and attest to the all-important standardized administration of these W-J tests by your current test administrators. [As one Board member summarized, unacceptable testing procedures and consequent results (including behavioral observations that are part of the testing process) would inevitably lead to unacceptable, faulty interpretations, thereby not protecting the public.] This was also not satisfactory to the Board inasmuch as that would amount to "supervision" of those test administrators by the psychological examiners, and there is no authority in our licensing statutes and regulations permitting LPE's to provide such supervision. Furthermore, if your LPE's were to engage in such activities, they would be exposing themselves to malpractice and ethical violations of their own.

3. Even if a licensed psychologist (qualified as being an appropriate supervisor) were to verify proper standardized test administrations by your current testers, that would still not be satisfactory to the Board. In essence, that would involve the use of a "subclass" (a term actually used by several Board members) of technicians (commonly known as psychological extenders that are not licensed but possess the credentials similar to your current test administrators). There is only one class of authorized technicians, not capable of licensure but requiring Board registration, in our

law/regulations, that being neuropsychological technicians trained and supervised by neuropsychologists.

4. While there would seemingly be no need to refer your clients' testing practices to the publisher at this point, assuming your clients still intend on utilizing psychological examiners to interpret results, participate in treatment planning, and participate in explanation of test results to your consumers (all 3 of those functions are part of standard practice such as in special education examinations but are also the responsibility of LPE's under the APB laws), there is still the potential of referral to the Pulaski County Prosecutor.]

Respondent's attorney was also advised that an audience with the Board about this matter could be requested.

13-01 [Rec'd 04/24/13]

COMPLAINANT: A mother whose son was in the custody of DHS complained about an evaluation conducted at the request of DHS. Complainant's allegations were that the tests were administered by a student, rather than the psychologist who she allegedly saw only briefly, that she had to take several tests two (2) times due to Respondent's allegations of invalidity, that a "speech impediment" was made fun of in the report, and that the contents of the report were not accurate or valid (e.g., her allegation of having PTSD was disputed due to complete of symptoms and instead a delusional disorder was diagnosed). She also rejected the recommendation that custody of her son not be returned to her. Mother alleged being raped, that her son's penis had been cut off, and that the tip of her tongue had been cut off, all during the alleged incident.

RESPONDENT: A psychologist who did acknowledge use of an intern for test administration and who adequately and completely refuted all of the allegations of Complainant. The evaluation report's contents were well within the realm of professional judgment afforded practitioners. The intern's supplied statement refuted the allegation of minimal contact with the Respondent during the exam.

RECOMMENDATION/STATUS: The Screening Committee recommended that this complaint be dismissed due to insufficient and inadequate support/proof of the non-specified alleged violations, whereas the practitioner Respondent appeared to have adequately defended the process used and the resulting report, diagnosis, and recommendation. The Board adopted that recommendation at its July 19th meeting, and the parties were so advised by letter of July 28, 2013. The "results" letter to the parties did not reference the fact that the Respondent should have referenced the name of the intern test administrator in the January 7, 2013, Psychological Report, but that failing was corrected by subsequent phone call to Respondent.

13-05: The Board is again reminded that a hearing is to be conducted regarding its denial of applicant status to Mr. Gann on August 16, 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. Dr. Souheaver would like to commend Ms. Spomer and Ms. Gordon for their work during these tragic circumstances.

Treasurer's Report/Director's Report

Staff recommends tabling the Treasurer and Director's reports due to absences. Dr. Souheaver seconded the motion. The motion passed unanimously.

Board Business

Dr. Souheaver made a motion to extend provisional licenses until December 31, 2013 for all Applicant Examiner Provisional Licensees. Dr. McNeir seconded the motion. The motion passed unanimously.

Extension of License Renewal

Dr. Carmilya Wilson submitted a letter to the Board requesting an extension on the renewal of her license due to economic hardships. Dr. Souheaver made a motion notifying that the Board cannot extend payment due to the Chapter 97 and to notify Dr. Wilson that she should not be practicing until her license has been renewed. Dr. McNeir seconded the motion. The motion passed unanimously.

Extension of Provisional License

Ms. Megan Revada submitted a letter to the Board requesting an extension of her Applicant Examiner Provisional License. Dr. Souheaver made a motion to grant the extension until December 31, 2013. Dr. McNeir seconded the motion. The motion passed unanimously.

Letters/Questions from Licensees

Dr. J. Robert Yohman submitted an informative letter to the Board notifying that he will be conducting an Independent Neuropsychological examination in the State of Arkansas sometime in July 2013. Dr. Souheaver advised to send a letter to Dr. Yohman thanking him for his notification. Dr. McNeir seconded the motion. The motion passed unanimously.

Statement of Intent Revisions

Dr. Rose Smith submitted a revised Statement of Intent, indicating Children and Adolescents as a population to serve. Dr. Souheaver made a motion to approve the request. Ms. Gordon seconded the motion. The motion passed unanimously.

Supervision Agreement and Plan

Dr. Michael Cucciare submitted a Supervision Agreement and Plan, indicating Dr. Teresa Kramer as his New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Ms. Gordon seconded the motion. The motion passed unanimously.

Mr. Russell House submitted a Supervision Agreement and Plan, indicating Dr. Cynthia Patton as his New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Ms. Gordon seconded the motion. The motion passed unanimously.

Ms. Angela Sailey submitted a Supervision Agreement and Plan, indicating Dr. Mary Ekdahl as her New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Ms. Gordon seconded the motion. The motion passed unanimously.

Ms. Tara Smith submitted a Supervision Agreement and Plan, indicating Dr. Dawn Parsons as her New Primary Supervisor. Dr. McNeir made a motion to approve the request contingent upon the fact that Ms. Smith add Diagnostic Interviewing and Consultation to her Supervision Agreement and Plan. Dr. Souheaver seconded the motion. The motion passed unanimously.

Mr. Daniel Wysocki submitted a Supervision Agreement and Plan, indicating Dr. Daniel Gilchrist as his New Primary Supervisor. Dr. Souheaver made a motion to approve the request. Ms. Gordon seconded the motion. The motion passed unanimously.

Supervisory Status

Dr. Joy Pemberton submitted a request, along with all the appropriate documentation, for Supervisory Status to the Board for consideration. Dr. Souheaver made a motion to approve the request. Dr. McNeir seconded the motion.. The motion passed unanimously.

Recess/Reconvene

The Board recessed to conduct Oral Exams at 11:15 PM.
The Board reconvened at 4:45 PM.

CREDENTIAL REVIEWS

1. Dr. Roger Erickson's credentials were presented to the Board for approval as an Applicant Psychologist Provisional Licensee. Dr. Souheaver made a motion to approve the credentials and grant Provisional Licensure contingent upon the completion of Dr. Erickson's Internship. Dr. McNeir seconded the motion. The motion passed unanimously.
2. Dr. Eileen Chaves' Erickson's credentials were presented to the Board for approval as an Applicant Psychologist Provisional Licensee. Dr. Souheaver made a motion to deny the credentials based on the fact that Dr. Chaves indicated seven courses on her application. Dr. Chaves indicated Counseling Psychology Practicum Advanced II as a course under Individual Personality Appraisal. According to the University of Denver's website, this course does not meet the criteria for this area of study, so Dr. Chaves only qualified for six out of the seven required areas of study. Dr. McNeir seconded the motion. The motion passed unanimously.
3. Dr. Joyce Fowler submitted a Neuropsychological Technician Registration application on behalf of Ms. Kendra Anderson to the Board for consideration. Dr. Souheaver made a motion to approve the request. Dr. McNeir seconded the motion. The motion passed unanimously.

ADJOURN

Dr. McNeir made a motion to adjourn. Ms. Bryson seconded the motion. The motion passed unanimously. The Board adjourned at 5:00 PM.