

Minutes
Arkansas Psychology Board
101 East Capitol, Suite 415
Board Meeting
September 18, 2015

CALL TO ORDER

The Arkansas Psychology Board meeting was called to order by the Chair of the Board, Dr. Edward Kleitsch, at 10:32 AM.

ROLL CALL

Board Members present: Ms. Dixie Bryson, Dr. Joyce Fowler, Dr. Art Gillaspay, Ms. Sharon Hoehn, Mr. Skip Hoggard, Dr. Edward Kleitsch and Dr. Jawahar Mehta.

Dr. Fowler made a motion to excuse Dr. Betty Everett. Mr. Hoggard seconded the motion. The motion passed unanimously.

Dr. Gillaspay made a motion to excuse Dr. Reeder. Ms. Bryson seconded the motion. The motion passed unanimously.

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

Ms. Nina Carter was present as the Board's Attorney General Representatives.

APPROVAL OF AGENDA

Mr. Hoggard made a motion to add item in New Business under Supervision Agreement and Plan and approve agenda as amended. Ms. Bryson seconded the motion. The motion passed unanimously.

APPROVAL OF PAST MINUTES

Ms. Bryson made a motion to approve the August 21, 2015 Board Meeting Minutes as amended. Dr. Gillaspay seconded the motion. The motion passed unanimously.

REPORT FROM THE COMPLAINT COMMITTEE

(submitted by Mr. Ammel)

C-14-08 UPDATE BOARD ACTION TAKEN & NEEDED TO BE TAKEN

STATUS/RECOMMENDATIONS: In this case involving a disputed Multiple Relationships violation but admitted Informed Consent violations, the Board previously authorized a proposed Consent Order to be presented to the Respondent. The Respondent counter-offered with a lesser fine of \$2,000; a Letter of Caution for the Multiple Relationships violation and a Letter of Reprimand for the Informed Consent violations;

and no revision to the Board's requirement of six (6) hours of face-to-face APA-authorized CEU, needing advanced APB approval, regarding ethical issues with specific coverage of Multiple Relationships and Informed Consent issues (in addition to the normal twenty (20) annual hours of CEU). The Board adopted the Screening Committee's recommendation of acceptance of this counter-offer. The Screening Committee's recommendation inadvertently did not specify time limits for compliance with the "fine" and the "CEU" sanctions. Accordingly, the Board will need to set those time parameters at its October 16th meeting.

C-15-04 UPDATE
TAKEN

BOARD ACTION TAKEN & NEEDED TO BE

STATUS/RECOMMENDATIONS: In this case involving an ADHD evaluation of an adult (self-pay), the Board had previously tabled it for further research on any applicable ethical Standard that might require provision of a written evaluation report. In the interim, there was not discerned to be any such Standard with that requirement (although examination results needed to be provided, including orally). On the other hand, three other ethical violations were discovered during that research: 1) Inadequate safeguarding of test materials (such being deposited in an unlocked mailbox external to the Respondent's office site); 2) Informed Consent in that no written documentation of such had occurred; and 3) Keeping inadequate records of service inasmuch as Respondent's handwritten intake notes were so totally illegible that a typewritten translation/transcript had to be solicited from the Respondent. The Screening Committee recommended a revision to its prior Consent Order proposal of a \$500 fine and a Letter of Reprimand by adding a requirement for six (6) hours of APA authorized, APB pre-approved, face-to-face CEU pertaining to ethics with emphasis on the Standards violated (in addition to the normal twenty (2) hours of annual CEU). The Board adopted the Committee's recommendation. Once again, however, the Committee failed to include a time allowance for compliance with the "fine" and the "CEU" sanctions in its recommendations. Accordingly, the Board will need to set those time parameters at its October 16th meeting.

C-15-07 [Rec'd 06/24/15}

BOARD ACTION TAKEN

COMPLAINANT: The CEO of a franchise mental health services provider alleged a number of violations committed by a Respondent psychologist who had been at one time employed by that business.

RESPONDENT: A psychologist who had provided psychological services during tenure of employment but who thereafter was terminated and established Respondent's own private practice:

STATUS/RECOMMENDATIONS: There was a mixture of "business management or practice" issues and a HIPAA violation (non-securing of client files) and a potential ethical violation involving keeping adequate records. The business

management/practices issues allegations (e.g., breaching of a non-compete clause, mishandling of funds, and excessive indebtedness to the business) were all outside of APB's disciplinary jurisdiction. The potential HIPAA and psychological ethics issues were all adequately defended by Respondent in the Screening Committee's opinion, and the recommendation was made to the Board that this case be dismissed as lacking substantiating proof of any actionable ethical violation(s) within the Board's jurisdiction. The Board adopted that recommendation, and the parties were so advised by letter.

Recess/Reconvene

The Board recessed for lunch Oral Exam and Credential Reviews at 11:32 am.

The Board reconvened at 12:30 pm.

OLD BUSINESS

Dr. James Carpenter submitted a revised Statement of Intent. Dr. Fowler motioned to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Mr. James Harris submitted revised Supervision and Agreement Plan, indicating Dr. Kevin Santulli as his New Primary Supervisor. Dr. Gillaspay motioned to approve the request. Ms. Hoehn seconded the motion. The motion passed unanimously.

Dr. Patrick Mulick submitted documentation of completion of a two (2) day training to the Board for authorization to use this training to count towards CEU hours for the current renewal period. Mr. Hoggard made a motion to deny the request indicating the two day training course does not meet the Board's requirements for CEU's. Dr. Gillaspay seconded the motion. The motion passed unanimously.

NEW BUSINESS

Personnel Committee Report

Dr. Fowler advised that the Personnel Committee had no meeting this month and therefore, no report.

Treasurer's Report

Mr. Hoggard informed the Board that the agency continues to operate within its budget. The amount of deposits was \$4,639.21, total amount of warrants was \$14,110.62 and the available fiscal year budget was \$116,268.91.

Director's Report

Mrs. Spomer informed the Board of an applicant applying for Senior Psychologist that does not meet the qualifications for this type of application. The Applicant is requesting the Board consider the application based on Rule 5.6.C.(2). Dr. Kleitsch suggests administering an oral exam. Dr. Gillaspay made a motion for the candidate to come to the

next available Board meeting for clarification. Dr. Fowler seconded the motion. The motion passed unanimously.

Mrs. Sponer notified the Board that a licensee submitted documentation of Consent Agreements recently issued in two (2) other states. Dr. Fowler made a motion to have applicant to submit documentation for the time frame of July 1, 2014 through June 30, 2015. Dr. Gillaspay seconded the motion. The motion passed unanimously.

In addition, Mrs. Sponer advised the Board that Dr. Richard Sylvester submitted his application and supporting documentation for Supervisory Status. Ms. Bryson made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Vendor contracts were discussed regarding revising contracts and clarity of contracts as well as excessive amounts of time/travel compensation. Administrative Director advised of inappropriate correspondence with less detail needed. Dr. Fowler made a motion to have contract re-written and to award the vendor \$2,000 per month until by December 1, 2015. Dr. Gillaspay seconded the motion. The motion passed unanimously. Mr. Hoggard motioned to retract previous motion to provide \$2,000 per month due to new information that was just brought to Mrs. Sponer attention. Ms. Bryson seconded the motion. The motion passed unanimously. Mr. Hoggard made a motion to pay the vendor \$2,000 for the work completed in July and August, review September's invoice at the October Board meeting, and pay the vendor \$50 per hour for a total of 15 hours per month beginning October 1st or until the new contract is awarded. In addition, the vendor must request prior Board approval if more than 15 hours per month is not sufficient, not to exceed 20 hours in a given month.

Recess/Reconvene

The Board recessed for break at 2:10pm.

The Board reconvened at 2:16 pm.

Completion of 3,000 hours

Ms. Kim Hart submitted Licensee Supervision Completion-Psychological Examiner-Independent form for approval by the Board. Dr. Gillaspay made a motion to approve the request and grant Independent Status. Mr. Hoggard seconded the motion. The motion passed unanimously.

Ms. Anita Madakasira submitted Licensee Supervision Completion-Psychological Examiner-Independent form for approval by the Board. Ms. Bryson made a motion to approve the request and grant Independent Status. Mr. Hoggard seconded the motion. The motion passed unanimously.

Pre-Doctoral Supervision Documents

Dr. Rodney Goodwin and Dr. Julia Wood submitted documentation to supervise Melissa Campbell, Cody Jefferies and Jennifer Lackey. Dr. Gillaspay motioned to approve Pre-Doctoral Supervision forms. Mr. Hoggard seconded the motion. The motion passed unanimously.

Supervision Agreement and Plan

Dr. Micholyn Gayoso submitted revised Supervision Agreement and Plan indicating Dr. Edward Engstrom as her primary supervisor. Dr. Fowler motioned to approve request once Projective Tests has been removed as an area of practice from Statement of Intent. Ms. Bryson seconded the motion. The motion passed unanimously.
(An amended Statement of Intent was provided.)

Dr. Hillary Hunt submitted revised Supervision Agreement and Plan indicating Dr. Joyce Fowler as her primary supervisor. Ms. Bryson made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Ms. Toni Thomas submitted revised Supervision Agreement and Plan indicating Dr. Stephen Pipkin as her primary supervisor. Ms. Hoehn made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Supervisory Status

Dr. Travis McNeal submitted the application and supporting documentation for Supervisory Status. Mr. Hoggard made a motion to approve the request. Ms. Bryson 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. Evan Eason's credentials were submitted to the Board for consideration as an Applicant Psychologist- Provisional License.
2. Ms. Keely Imboden's credentials were submitted to the Board for consideration as an Applicant Technician under supervisor Kristin Addison-Brown.

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. Dr. Jason Boye's Quarterly Report for the period of June 1, 2015 – August 31, 2015.
2. Dr. Micholyn Gayoso's Quarterly Report for the period of May 1, 2015 – July 31, 2015.
3. Dr. Anita Madakasira's Annual Report for the period of May15, 2014 – June 30, 2015.
4. Dr. Angela Perea's Quarterly Report for the period of May 8, 2015 – August 6, 2015.

The Board approved all of the above quarterly reports.

Recess/Reconvene

The Board recessed for Executive Session to discuss personnel matters at 3:00.
The Board reconvened at 3:35.

ADJOURN

Ms. Bryson made a motion to adjourn. The motion was rescinded. Mr. Hoggard motioned to reimburse Board Members for all travel expenses with receipts or appropriate documentation. Ms. Bryson seconded the motion. The motion passed unanimously.

Ms. Bryson made a motion to adjourn. Mr. Hoggard seconded the motion. The motion passed unanimously.

The Board adjourned at 3:44 pm.