

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
April 8, 2016

APPROVED: May 13, 2016

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was noticed and agenda posted on April 5, 2016. Dr. Zimmermann, Board Chair, called the meeting to order at 8:38 a.m. on Friday, April 8, 2016 at 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. Present were Board Members, Drs. Marc Zimmermann, Darla Burnett, Phillip Griffin, Koren Boggs; and, Executive Director, Jaime T. Monic. Dr. Jesse Lambert was absent.

Dr. Zimmermann opened the meeting by reading the Board's Declaration of Purpose. Dr. Boggs moved to approve the agenda for the day. The motion passed by unanimous roll call vote of the members present.

The Board reviewed and discussed the meeting minutes from March 18, 2016. Dr. Griffin moved to approve the minutes of March 18, 2016. The motion passed by unanimous roll call vote of the members present.

Dr. Griffin moved to enter into executive session pursuant to LSA R.S.42:6.1, to conduct oral examinations and conduct file reviews. The motion passed by unanimous roll call vote as follows: Zimmermann - YEA, Burnett - YEA, Griffin - YEA, Boggs- YEA

Dr. Griffin moved to close executive session. The motion passed unanimously.

The Board opened the meeting to the public at 12:45pm. Dr. Kim VanGeffen, LPA Liaison was present; Ms. Rhonda Boe, Executive Director for LBAB was in partial attendance.

COMMITTEE REPORTS:

The Board received the following committee reports:

Executive Director Report – Ms. Monic reported on the following:

- The LSBEP will be presenting current stats and a review of Continuing Professional Development and Complaints on Friday, May 20, 2016 at the LPA Meeting at the DoubleTree by Hilton Hotel New Orleans Airport.
- The Fiscal Impact Statements for Chapters 8, 9 and 13 were published in the March 20, 2016 LA Register. On this date, April 8, 2016, Twenty-three comments were received, no requests for hearing had been received. Ms. Monic advised that the comments period ends tomorrow, April 9, 2016 and after that date, the LSBEP would have to give full consideration to each of the comments, make a determination on whether or not to amend the rule based on the comments received, provide a response to the comments and report to the legislative oversight committees. The matter to be taken up on the May 13, 2016 agenda.
- 2016 Ethics Reports will be due on May 15, 2016.

- A typographical error in the in the January 22, 2016 minutes wherein a reference to approved meeting minutes for May 4 and May 7 was corrected. The year was incorrectly referenced as 2016 and was corrected to 2015.
- Attorney Deborah Harkens has been tracking legislation for the LSBEP. On Wednesday, March 30, 2016 Ms. Monic met with Atty. Harkins, Eric Torres (LSBME), Senator Eric LaFleur, and Representative Gerome “Dee” Richard. To provide obtain clarification and provide education on the potential impact of the proposed legislation on our agency. Ms. Monic also met with Cindy Bishop LPA’s Executive Director on Monday, April 4th to discuss and exchange trackers for all of the legislation the LSBEP was watching for practice and board impacts.
- Office operations are stable and the staff is current on all state reporting requirements. Ms. Monic continues to implement and/or reinstate proper procedures to address adequate segregation of duties and financial oversight on accounting procedures. Ms. Storer is currently being trained to handle payables, receivables, and process license applications for Board review. Ms. Storer is doing excellent with the additional duties.

Finance Committee Report

The Board reviewed Financial Statements for March 2016 prepared by Ms. Valerie Dominique. Ms. Monic summarized Ms. Dominique’s written report that the boards “...financial status remains steady. We budgeted to have a net loss (Revenue – Expenses) of \$112,351. With 3 months remaining in this fiscal year you have a net loss of -\$36,920...It appears that you are on track to stay on budget for FY ending June 30, 2016...” Ms. Monic further reported that although the board will report a deficit, funds were available to cover LSBEP expenses through the end of FY 2016. Dr. Burnett moved that the Board accept the financial statements as presented. The Board unanimously approved this motion.

Dr. Zimmermann reviewed and approved Bank Reconciliations prepared by Ms. Monic from February 2016.

Dr. Zimmermann reviewed and approved Ms. Monic’s Timesheets/Leave reports.

Oral Examination Committee Report – Dr. Griffin reported that the Board conducted the following oral examinations for licensure conducted in executive session:

ORAL EXAMINATIONS [LSA-R.S. 42.6.1]:

Richard Sylvester, Ph.D. appeared before the Board for an oral examination for licensure.

Dr. Griffin moved that the Board grant **Dr. Sylvester** a license to practice psychology with a declared specialty in Counseling Psychology. The motion passed by unanimous roll call vote of the members present.

Araceli Flores, Ph.D. appeared before the Board for licensure via Reciprocity with Texas.

Dr. Griffin moved that the Board grant **Dr. Flores** a license to practice psychology with no declared specialty. The Board discussed the recommendation and the motion passed unanimously.

Jurisprudence Examination Committee Report – Dr. Zimmermann noted that Dr. Sylvester, who came before the Board for licensure this date, commented and appreciated that all of the answers to the Jurisprudence Examination were organized and available on the board’s website at www.lsbep.org. Dr. Zimmermann requested that the minutes reflect commendations to Ms. Monic for updating and maintaining current information for candidates and the public.

Legislative Oversight Committee Report – Dr. Burnett reported that she and Ms. Monic had a telephone conference with Attorney Harkins on March 24, 2016 to review impact legislation and discuss options to educate legislators of potential impact on LSBEP.

Liaison to Professional Organizations and Boards Report –Dr. Griffin reported that Dr. Lucinda DeGrange’s term on the Licensed Specialist in School Psychology Committee would be ending on June 30, 2016. Ms. Monic was directed to facilitate obtaining nominations prior to the next LSSP Committee meeting on June 14, 2016, in order for LSSP to provide a recommendation to the LSBEP, for LSBEP’s consideration at their June 24, 2016 meeting.

Continuing Education Committee Continuing Professional Development Committee– The Board again considered Dr. Burnett’s request to change the name of this committee. After discussion, Ms. Monic requested the Board consider keeping a simplified name for the committee. Dr. Griffin moved in favor of changing the name of the committee to the “Continuing Professional Development Committee”. The motion passed unanimously.

Supervision/Credentials Review - Dr. Burnett reported the results of the file reviews conducted this date in Executive Session as follows:

FILE REVIEWS [LSA-R.S. 42.6.1]:

Dr. Burnett reviewed and approved the Supervised Practice Plan of **Dr. Alexandra Sims**.

Dr. Burnett reviewed the Application for License of **John Otzenberger, Psy.D.** and moved that the Board confirm his Candidacy status and invite him to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Boggs reviewed the Application for License of **Kelly Bolger, Ph.D.** and moved that the Board confirm her Candidacy status and invite her to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Zimmermann reviewed the Application for License of **Amber Allison, Ph.D.** and moved that the Board confirm her Candidacy status and invite her to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Boggs reviewed the Application for License via Certificate of Professional Qualifications of **George Kapalka, Ph.D.** Dr. Boggs moved that the Board confirm the Candidacy status of **Dr. Kapalka** and invite him to take the Jurisprudence Examination for licensure and meet with the Board to review and verify satisfactory character, current fitness, plans to practice, and specialty declaration for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Zimmermann reviewed the Temporary Registration of **Harvey Earl Jacobs, Ph.D. (Virginia)**. Dr. Zimmermann, moved that the Board approve the Temporary Registration of **Dr. Jacobs** upon receipt of passing scores on the Jurisprudence Examination. The Board discussed the motion. The motion passed unanimously.

Dr. Burnett reviewed the Application for License of **Phong Vu, Ph.D.** and moved that the Board confirm her Candidacy status and invite her to take the Oral and Jurisprudence Examinations for Licensure upon receipt of passing EPPP scores. The Board discussed the motion. The motion passed unanimously.

Dr. Griffin reviewed the Reinstatement Application for License of **William S. Maynard, Jr., Ph.D.** and upon finding his application complete, moved that the Board reinstate his psychology license effective April 8, 2016. The Board discussed the motion. The motion passed unanimously.

Complaints Committee: No Report.

Long Range Planning/Awards Committee: Dr. Griffin reported that he would meet with Dr. Darlyne Nemeth the following week to discuss the requirements for Clinical Neuropsychology regulations.

LBAB Liaison Report: Dr. Burnett reported that LBAB continued to work on establishing regulations and have completed their first election. Dr. Burnett also noted that it was time to renew the MOU between LSBEP and LBAB, which discussion would occur today under Discussion Items.

Professionalism Workgroup: No report.

LSBEP Education & Outreach: Dr. Griffin discussed producing a webinar or online training for continuing professional development requirements for psychologists. Ms. Monic agreed to assist with investigating options to facilitate this. Dr. Burnett also discussed the potential for an online no-fail jurisprudence and/or ethics course that the board could offer annually for continuing professional development credit.

DISCUSSION ITEMS

2016-17 Renewals/Teknarus Online System - On April 7, 2016, Teknarus acknowledged that they did not have the benefit of the full scope and understanding to redevelop the Psychologist Renewal and CE Reporting Portal as originally proposed and to the satisfaction of the LSBEP.

On that date, a mutual agreement to terminate the contract for the development of the application for online renewals in the amount of \$5,000, which was originally executed on July 17, 2015, was accepted. Therefore, Ms. Monic requested that the Board affirm the termination and approve a transfer of that agreement to Sparkhound (the original developer), in the event Sparkhound would be able to complete the scope of work requested prior to the beginning of renewals on July 1, 2016. Dr. Burnett moved in favor of transferring the contract to Sparkhound to facilitate upgrades to the Psychologist Renewal Portal. The motion unanimously passed. Ms. Monic explained that she would approach them for a proposal for approval by the LSBEP.

2016 Regular Legislative Session – Ms. Monic update the LSBEP on the following items:

HB 74 RICHARD - PUBLIC CONTRACTS: Originally provided for a 15% reduction of all state professional, personal, and consulting service contracts. Ms. Monic advised that the language was amended to impact 10% of those contracts held by agencies supported by the state general fund.

HB 81 BROADWATER - PUBLIC RECORDS: Requires public bodies to make certain information concerning the custodian of records publicly available (Item #16 and 36). This legislation is moving and will have impacts on administrative requirements of the LSBEP.

HB 162 EDMONDS - PUBLIC MEETINGS: Prohibits communication among a quorum of the members of a public body unless such communication is contemporaneously visible or audible to the public unless the public body is in an executive session authorized by law. This legislation is moving and intends to specifically prohibit a quorum of members of a public body from engaging in interactive communication through electronic means regarding a matter over which the body has supervision, control, jurisdiction or advisory power.

HB 454 RICHARD - CONTRACTS: Provides for reporting, review, and approval by the Joint Legislative Committee on the Budget of certain professional, personal, and consulting service contracts. This legislation is moving and will impact administrative requirements of the LSBEP.

HB 909 ANDERS - BOARDS/COMMISSIONS: Provides with respect to limitation of terms of members of boards and commissions. This piece will require board members to serve until a replacement is appointed.

SB 114 LAFLEUR - HEALTH/HOSPITALS DEPT: Requires approval by the secretary of the Department of Health and Hospitals for any salary adjustments or cost of living adjustments for certain management boards falling under the auspices of the department. Ms. Monic reported this was amended and will require that 2/3rds approval of the Board be obtained to grant raises to employees preceding a deficit year. Such approval by the Board must be filed with the Secretary of DHH.

LPA Presentation – Dr. Zimmermann wished to commend Ms. Monic for the power point presentation drafted for LPA. Dr. Zimmermann reported that each member of the LSBEP has a section to present and will be reviewing Ms. Monic’s draft presentation to offer edits and/or additional information for their respective sections.

Specialty Designations - Dr. Zimmermann continued the discussion on the matter of specialty designations, assessing credentials for licensure and defining scope of practice for specialty designations versus moving to a broader status of *healthcare provider/non-healthcare provider*. He provided the LSBEP with survey information from other jurisdictions polled through ASPPB, regarding their use specialty designations vs. a generic license and the use of HSP designations. Dr. Burnett voiced concerns about moving too quickly on the matter without fully investigating those jurisdictions that have the healthcare provider designations and how that is working for those jurisdictions; concerns were also raised about the impact on the practice where current laws reference “clinical psychology” or “clinical psychologists”. Dr. Griffin invited Dr. VanGeffen’s input on this matter. Dr. VanGeffen stated that if the LSBEP proceeded in defining specialties in lieu of eliminating them, that she would have concerns about each designation being too narrowly defined. The Board agreed to continue this discussion, investigation and receiving input on this subject. Dr. Burnett moved that the LSBEP include in their investigation: the APA Model Act, investigation in what other psychology boards are using, and also consider ASPPB’s models. The motion unanimously passed.

Self-report symptom inventories (BDI-2, BAI) by non-mental health providers in health care settings – The Board reviewed an email question through the LSBEP comments page regarding the appropriate “use of self-report symptom inventories (BDI-2, BIA) by non mental health providers in healthcare settings.” The Board agreed that specific information would be required to answer this question. Ms. Monic was directed to respond with a request for detailed information concerning the credentials of the “non mental health providers” and the level of supervision by licensed individuals.

Telepsychology and Physician Emergency Certificate – Dr. Lambert provided a written letter, in his absence, concerning Telepsychology and the application of the Psychologists Emergency Certificate, requesting that the LSBEP consider an opinion regarding psychologists conducting a PEC via telehealth. Dr. Griffin moved that Dr. Lambert provide a draft opinion for the board to consider. The motion passed unanimously.

Executive Director Vacation – Ms. Monic requested approval for one-week vacation leave. Dr. Griffin moved that the Board approve Ms. Monic’s vacation leave. The motion passed unanimously.

Public Display of Board Address – Dr. Boggs brought this matter to the Board’s attention, concerned that psychologists, herself included, did not have a current address card for the LSBEP. Dr. Boggs moved in favor of publishing a .pdf on the Board’s website so that the most

current information would be readily available to all licensed psychologists and for Ms. Monic to also include a new card to all licensed psychologists with renewal certificates. The motion passed unanimously.

LSBEP and LA Behavior Analysts Board: Board Memorandum of Understanding – Dr. Burnett presented the MOU between the LSBEP and LBAB. Ms. Rhonda Boe participated in this discussion. The LSBEP reviewed the agreement and collectively approved the following amendments: 1. Adding a date to the signature line; 2. Amending the effective period of the MOU beyond 6 months; 3. Amending B1.b concerning the purchase of office furniture, equipment or computers and the requirement for a 50% use fee, where the language currently does not preclude those items used exclusively by the respective board. Ms. Boe agreed to bring the proposed amendments to the LBAB for consideration.

LSBEP Opinion No. 006: Records Retention – The Board reviewed Opinion 006 and by motion of Dr. Griffin, directed Ms. Monic to update only the references to the outdated statutes within this Opinion. The motion passed without objection. No substantial changes to content were recommended.