

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Thursday, June 13, 2019

FINAL APPROVED: July 21, 2019

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed and agenda posted on, Tuesday, June 11, 2019. Dr. Jesse Lambert called the meeting to order at 8:30 a.m. on Thursday, June 13, 2019 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, LA 70816. Present were Board Members, Drs. Jesse Lambert, Amy Henke, and Gregory Gormanous; Executive Director, Jaime T. Monic; and Attorney Courtney P. Newton. Board Member, Dr. Koren Boggs was absent. Dr. Richard Niolon was present representing the Louisiana Psychological Association (LPA). Additional Guests were Psychology Interns at LSU Mental Health Services, Ms. Taylor Terrebonne, Emily Werst and Arielle Brun.

Dr. Lambert opened the meeting by reading the Board's Declaration of Purpose.

Dr. Gormanous requested that his statement of service be recorded into the minutes as follows: *"My serving on LSBEP is to ensure that consumers of psychological services are protected against any unqualified, harmful and unauthorized practice, application or use of psychology. My service is as a consumer advocate and educator. My service is not as a market participant."*

Ms. Monic reported with apologies that she was very behind on drafting minutes of May 6, 2019 and May 23, 2019 and they were not yet available for review.

COMMITTEE REPORTS:

Executive Director Report - Ms. Monic updated/reported to the board on the following:

- The 2018 Audit has not been initiated due to being short staffed
- Contracts were being initiated and filed as previously delegated by the Board
- Renewal postcards were mailed the first week in June and the notice was posted on the website of the board at www.lsbep.org, the notice included the following:
"Renewals **OPEN** on **JULY 1, 2019**
All **LICENSES EXPIRE** on **JULY 31, 2019**; **ODD** numbered licenses report Continuing Professional Development (CPD) for the period **July 1, 2017-June 30, 2019**; The **DEADLINE** to obtain CPD is **JUNE 30, 2019**
[RENEW ONLINE AT WWW.LSBEP.ORG](http://WWW.LSBEP.ORG): To access the login page for the portal click on the "Licensee" menu then "Renew Your License Online". Contact us at admin.lsbep@la.gov if you have trouble with your login credentials.
PAPER RENEWAL: Visit WWW.LSBEP.ORG to download current paper renewal forms. The paper processing fee is an additional \$15. Please submit your paper renewal no later than **JULY 15, 2019**, to avoid delay in receiving your 2019-20 Renewal Certificate."
- Ms. Monic reported that appointments had not been issued for Dr. Lambert's seat, Dr. Crouch's seat or the public member.

Finance Committee - The board reviewed financial reports for May 2019. Dr. Gormanous moved in favor of accepting the financial reports as prepared by Valerie Dominique and presented by Ms. Monic. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert-YEA, Henke- YEA, Gormanous - YEA

The Board reviewed the 2018-19 Budget Review and Discussion for final amendments approaching the end of the fiscal year on June 30, 2019. Following discussion, by motion of Dr. Gregory Gormanous, and roll

call vote of the members present, the LSBEP unanimously RESOLVED to adopt revisions to the current July 1, 2018 through June 30, 2019 budget, which reflect a reduction in the anticipated Total Means of Financing from \$307,197 to \$302, 593; a reduction in anticipated Total Salaries from \$117,998 to \$107,134; a reduction in anticipated Total Operating Expenses from \$87,117 to \$64,586 and an increase in Professional services from \$91,540 to \$97,479.

Dr. Lambert reported that he reviewed and approved Leave Reports for Ms. Monic.

Oral Examination Committee – Dr. Henke reported the Board would be conducting five oral examinations was this date in Executive Session.

Legislative Oversight Committee – Dr. Gormanous reported the session ended on June 6, 2019. No legislative instruments passed that would have had negative impacts on the Board. Ms. Monic reported on the following:

HB 423 passed which repealed the ability of a professional board to revoke an occupational license for failure to pay student loans, which also eliminates its reporting requirement to the office of student financial aid;

SB 171 passed related to reports required of boards, which changes the agency to which an individual may complain about boards, and quarterly reports made by boards;

HB614 passed which will required the board to provide reasonable notice that information sent to the board may become public record;

HB29 passed which prohibits boards from bringing action against licensees for providing testimony before the legislature and prohibits boards from using non-disparagement clauses in consent orders.

Liaison to Professional Organizations and Boards – Dr. Gormanous reported that he and Ms. Monic had been communicating with FARB and CLEAR to provide training for board members and staff.

Supervision and Credentials Review Committee – Dr. Lambert reported that he and Ms. Monic met prior to the meeting and file reviews, which findings will be discussed during Executive Session this date.

Complaints Committee - Dr. Lambert reported that there were a number of matters set for review and consideration in Executive Session this date.

Long Range Planning – Dr. Gormanous deferred his report for Discussion Item #1. Dr. Gormanous also requested to poll the guests regarding rotating the meeting to different locations across the state in an objective to educate the public about the existence of the board and its functions. The guests listened, but did not have an opinion for or against the idea.

Continuing Professional Development – Ms. Monic reported that with renewals beginning on July 1, 2019, there would be continuing education reports, questions and requests for extensions filed with the office. Ms. Monic requested the board affirm previously delegated authority of the Continuing Professional Development committee, currently consisting of only Dr. Amy Henke, to review, approve, and request additional information regarding Continuing Professional Development (CPD) Reports, requests for CPD Extensions, make recommendations to the board regarding requests for CPD Exemptions, and/or provide recommendations to the Complaints Committee should an adjudication become necessary.

Jurisprudence Examination – no report

DISCUSSION/ACTION ITEMS

1. **July 12, 2019 Agenda – Discuss Pre-meeting Option on July 11, 2019 to elect Officers, Appoint Committees, Receive and Discuss Goals of Incoming Chair, and Conduct Executive Session File Reviews** – Dr. Gormanous move in favor of meeting on July 11, 2019 to accomplish the election of officers, committee appointments, receive and discuss goals of incoming chair, and conduct executive session file reviews and adjourning early for a farewell dinner for the outgoing chair. The Board discussed the motion, the motion passed unanimously.
2. **Staff and Board Member Training** – Dr. Gormanous reported he had a potential conflict with the November 15, 2019 Comprehensive Regulatory Training date for FARB. Ms. Monic agreed to explore additional dates and the availability of LBAB to still split the cost of training with LSBEP. Ms. Monic also reported that since the last meeting and board approval so send her for training with CLEAR, that organization has had much interest in this training and has agreed to conduct a training in Baton Rouge, LA which will save the Board travel costs and enable additional staff attendance. Ms. Monic will report to the board as additional information is made available.
3. **Inquiry from Brenda Sharp RE: School Psychologists Scope** – Ms. Monic again presented this inquiry to the Board along with a recommendation and interpretation from the LSSP Committee. While the Board agreed, Dr. Henke requested Ms. Newton review the statutes and regulations pertaining to the LSSP committee and provide an official legal opinion regarding the inquiry. The Board discussed the motion, the motion passed unanimously.
4. **LPA Presentation, Saturday June 15, 2019 @ 2PM** – Ms. Newton presented her draft presentation to the Board. The Board approved the presentation with amendments and affirmed Ms. Newton as the sole presenter, with Dr. Henke and Ms. Monic attending and present if needed.
5. **Office Equipment** - Ms. Monic reported that following the May 23, 2019 board meeting where it was reported that computer and printing equipment would be due for an upgrade, the front office printer broke and the following week, the front office computer (utilized by student workers and the board's CPA) crashed. Ms. Monic consulted with Board Chair, Dr. Lambert and Vice Chair Koren Boggs and made emergency purchases for replacements as follows: Printer 429.99 (plus supplies total 847.98) Apple Desktop Computer \$1099 (received 400.99 discount due to price match). Dr. Gormanous moved in favor of affirming the purchases made by Ms. Monic. The motion passed unanimously.
6. **Interagency Agreement with the Division of Administrative Law** – Ms. Monic presented a draft agreement with the Division of Administrative Law, to be utilized as an option on a case by case basis, when necessary due to conflicts of interest arise. The Board discussed the matter. Concerns were raised with regard to the Board's statutory authority to delegate *final* decision making to involving the ability of an individual to continue to maintain a license to an Administrative Law Judge within the Division of Administrative Law. It was requested that Ms. Monic inquire further with the DAL with regard to this question.
7. **Registration of Unlicensed Assistants** – Dr. Gormanous presented this matter to discuss the authority of the board to regulate the practice of psychology; the current requirements regulating unlicensed assistants to psychologists; and public protection. Dr. Henke was opposed to considering a requirement to register assistants stating that she did not see a need, although would remain open to the prospect. Dr.

Gormanous agreed to continue to investigate the option and look at other psychology boards across the U.S. and also other Louisiana Boards that require registration of assistants.

8. **Mandatory Reporter Requirements** – Ms. Newton presented a draft opinion with regard to Mandatory Reporter Requirements. The Board discussed the opinion. Dr. Lambert moved in favor of continuing to develop the draft into something that could be formally adopted as guidance for licensees. The Board discussed the motion, the motion passed unanimously.

Dr. Gormanous moved to enter Executive Session pursuant to LSA R.S.42:17.A(2) and (4) to review and discuss litigation, conduct oral examinations and file reviews. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Henke– YEA, Gormanous - YEA.

SUPERVISION/CREDENTIALS COMMITTEE: APPLICANT/LICENSE FILE REVIEWS [LSA-R.S. 42.17.A(1)]

Cynthia Verhalen, M.Ed., S.S.P. - The LSBEP considered the recommendation of the LSSP Committee, to grant **Ms. Verhalen** licensure as a Specialist in School Psychology upon receipt of passing the LSSP Jurisprudence Examination. Dr. Lambert reviewed the file and moved in favor of accepting the recommendation of the committee to issue a license to **Ms. Pardue**. The motion passed unanimously.

Dr. Lambert reviewed the application file for licensure of **Christine James, Psy.D.** and presented findings that her file was complete for admission to candidacy and invitation to take the National Examination for Professional Practice in Psychology. Dr. Lambert moved in favor of affirming Dr. James' Candidacy Status and admitting her to take the EPPP. The Board discussed the motion. The motion passed unanimously.

Dr. Lambert reviewed the application file for licensure of **Monique Coleman, Ph.D.** and presented findings that, pending receipt of clear criminal background check and receipt of passing EPPP scores, her file is complete for admission to candidacy and invitation to take the oral and jurisprudence examination for licensure. Dr. Lambert moved in favor of affirming Dr. Coleman's Candidacy Status, pending receipt of this information. The Board discussed the motion. The motion passed unanimously.

Dr. Lambert reviewed the application file for licensure of **Brian Seavey, Psy.D.**, with a motion that that the Board confirm the candidacy of **Dr. Seavey** and invite him to sit for the jurisprudence examination and face to face meeting with the board for licensure via Certificate of Professional Qualifications. The Board discussed the motion. The motion passed unanimously.

CURRENT LITIGATION/LEGAL [R.S. 42:17(A)(2)]:

The Board received a status and discussed legal strategies in the following cases:

1. Glenn W. Ahava, Ph.D. v. LSBEP, On Appeal from September 18, 2015, Opinion and Order of the LSBEP 19TH JDC; Parish of East Baton Rouge, State of Louisiana, Div. D, No. 643,369
2. Eric R. Cerwonka vs. LSBEP, Suspensive Appeal of the 19th JDC/East Baton Rouge State of Louisiana, No. 65658, Sec. 24
3. Eric R. Cerwonka, PsyD vs. LSBEP, Civil Matter - U.S. Western District, Lafayette Div. No. 6:17-CV-01095

4. Richard A. Marksbury, Ph.D. vs LSBEP, Petition for Judicial Review, 19th JDC, EBR Parish, State of Louisiana, No. C-682294 Sec. 21/D

5. Frank Ford Cosey, vs. Darrel Vannoy, Warden LSP Angola LA; State of Louisiana 19th JDC EBR Parish No. 07-90-0596 Sec. VII (Amicus Brief RE Practice of Psychology/Licensure)

COMPLAINTS [LSA R.S. 42.17.A(4)]:

1. **In the matter P16-17-14C and P17-18-11C – Administrative Complaint, Formal Hearing, and Request for Board Member Conflict of Interest Statements** - Attorney Newton provided a status to the Board with regard to potential hearing dates, and request by the respondent to have the hearing moved to the jurisdiction of the Division of Administrative Law. The authority of the board to consider this request is being investigated.

2. **NP17-18-12B** – Attorney Newton provided a status to the Board on this matter.

3. **NP18-19-03P** – Dr. Amy Henke is recused from this matter. This matter was procedurally tabled since a quorum was not present for consideration.

4. **P17-18-09C** – Dr. Jesse Lambert presented this matter with a recommendation to dismiss with a letter of education. Attorney Newton affirmed Dr. Lambert’s recommendation, following her review of the matter and legal review of the statutory provisions. The Board discussed this recommendation. Following discussion, by motion of Dr. Gormanous, the board accepted the recommendation of Dr. Lambert for dismissal with a letter of education.

5. **In the matter filed by JM, Received 12/20/2018** – Dr. Jesse Lambert, following his review of the matter and recommendation of Dr. Sasha Lambert, rendered a motion to table consideration pending further investigation of related matters. The Board discussed the matter, the motion passed unanimously.

6. **In the matter filed by JM, Received 12/27/2018** – Dr. Jesse Lambert, following his review of the matter and recommendation of Dr. Sasha Lambert, rendered a motion to table consideration pending further investigation of related matters. The Board discussed the matter, the motion passed unanimously.

7. **In the matter filed by JM, Received 12/31/2018** - Dr. Jesse Lambert, following his review of the matter and recommendation of Dr. Sasha Lambert, rendered a motion to table consideration pending further investigation of related matters. The Board discussed the matter, the motion passed unanimously.

8. **P18-19-05C** – Dr. Jesse Lambert, following his review of the matter and recommendation of Dr. Sasha Lambert, rendered a motion to table consideration pending further investigation of related matters. The Board discussed the matter, the motion passed unanimously.

9. **P18-19-02C** – Dr. Sasha Lambert presented this matter via conference call to the Board in Executive Session with a recommendation to dismiss the matter without further action. Dr. Jesse Lambert reported his review of the matter and affirmed Dr. Sasha Lambert’s recommendation. The Board discussed the

matter. Dr. Gormanous moved in favor of accepting Dr. Sasha Lambert's recommendation to dismiss the matter without further action. The motion passed unanimously.

ORAL EXAMINATIONS [LSA-R.S.42.16.1]:

Claudia Mosier, Psy.D. appeared before Board Members, Drs. Lambert, Henke and Gormanous for an oral examination for licensure in Clinical Psychology. The board discussed **Dr. Mosier's** performance and qualifications in executive session. Finding that **Dr. Mosier** has met the qualifications for licensure and received the required training for practice in the area of Clinical Psychology, Dr. Gormanous moved that **Dr. Mosier** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert- YEA, Henke – YEA, Gormanous – YEA.

Kristen Pearson, Ph.D. appeared before Board Members, Drs. Lambert, Henke and Gormanous for an oral examination for licensure in School Psychology and an oral examination for dual specialization in Clinical Psychology. The board discussed **Dr. Pearson's** performance and qualifications in executive session. Finding that **Dr. Pearson** has met the qualifications for licensure and received the required training for practice in the area of School Psychology, Dr. Henke moved that **Dr. Pearson** be granted a license to practice psychology with a declared specialty in School Psychology. Finding that **Dr. Pearson** has met the qualifications and received the required training for practice in the area of Clinical Psychology, Dr. Gormanous moved that **Dr. Pearson** be recognized for practice in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert- YEA, Henke – YEA, Gormanous – YEA.

Tracey Murry, Ph.D. appeared before Board Members, Drs. Lambert, Henke and Gormanous for an oral examination for licensure in Clinical Psychology. The board discussed **Dr. Murry's** performance and qualifications in executive session. Finding that **Dr. Murry** has met the qualifications for licensure and received the required training for practice in the area of Clinical Psychology, Dr. Gormanous moved that **Dr. Murry** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert- YEA, Henke – YEA, Gormanous – YEA.

Doris Eileen Nevin, Ph.D. appeared before Board Members, Drs. Lambert, Henke and Gormanous for an oral examination for licensure in Counseling Psychology. The board discussed **Dr. Nevin's** performance and qualifications in executive session. Finding that **Dr. Nevin** has met the qualifications for licensure and received the required training for practice in the area of Clinical Psychology, Dr. Gormanous moved that **Dr. Nevin** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert- YEA, Henke – YEA, Gormanous – YEA.

5:00 p.m. ADJOURN

Henke moved to adjourn the meeting at 5:00PM. The motion passed unanimously.