

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES: *September 18, 2015*
Final Approved 10/23/15

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was noticed and agenda posted on September 8, 2015. Dr. Zimmermann, Board Chair, called the meeting to order at 8:30 a.m., Friday, September 18, 2015, at 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. Present were Board Members, Drs. Darla Burnett, Phil Griffin, Jesse Lambert and Koren Boggs; and, Executive Director, Dr. Greg Gormanous. Dr. C. Gary Pettigrew, Complaint's Coordinator, and Lloyd J. Lunceford, Legal Counsel, were in partial attendance for the legal review. Dr. Burton Ashworth was present for a meeting with the Board. Dr. Julie Nelson was present during Open Session, as was Dr. Kim VanGeffen, representing LPA. Additional attendees present during Open Session portions of the meeting were Carrie Jones and Kathryn Dufrene of Shows, Cali, and Walsh, LLC, Quincee Roccaforte of Serpas Court Reporting, and Dr. Alicia Pellegrin.

Dr. Zimmermann moved to accept the September 18, 2015 agenda. The motion passed unanimously. Dr. Griffin moved to approve the August 14, 2015 minutes. The motion passed unanimously.

The Board expressed condolences to the family of Dr. David Burkart. The Board agreed to express condolences via letter to Dr. Burkart's family. Dr. Burnett moved to refund recently paid license renewal fees. The motion passed unanimously.

Pursuant to LSA R.S.42: 6.1(4), Dr. Zimmerman moved to enter Executive Session to review legal matters and discuss complaints. The motion passed by unanimous roll call vote of the members present as follows: Zimmerman-yay, Burnett-yay, Griffin-yay, Lambert-yay, and Boggs-yay.

Dr. Zimmerman moved to close Executive Session to enter the following:

Personnel Matter [LSA-R.S. 42.6.1]: The Board discussed the Executive Director vacancy. Drs. Zimmerman and Burnett noted that Dr. Greg Gormanous's resignation occurred during his probationary period of employment. As such, they suggested offering the position to another qualified applicant from the same hiring period. Dr. Burnett moved to offer the position to Jaime Monic effective immediately, with salary to be negotiated commensurate with her skillset and experience. The motion was discussed. The motion passed by roll call vote as follows: Zimmerman-yay, Burnett-yay, Griffin-yay, Lambert-yay, and Boggs-yay.

The new administrative assistant, Deborah Storer, was introduced to the Board. The Board also discussed Dr. C. Gary Pettigrew's resignation as Complaints Coordinator, effective October 31, 2015. One application for the position had been received as of this meeting. The Board discussed continuing to review applications prior to the October meeting of the Board. The Board also discussed requesting assistance from Dr. Pettigrew in orienting the new Complaints Coordinator when hired.

The Board also discussed pursuing the database management company with whom the Board contracts to gain control of and access to the licensee database.

Burton Ashworth, Ph.D., met with the Board for clarification regarding his Supervised Practice Plan and current duties. The Board carefully considered information presented by Dr. Ashworth. Dr. Burnett moved to reinstate Dr. Ashworth's Provisional License with the condition that he enter into a new Supervised Practice Plan and obtain one year of supervised practice under the new plan. It was further moved that Dr. Ashworth's new supervisor be copied on correspondence relating to the Board's decision. The Board discussed this motion. The motion passed unanimously. Dr. Griffin agreed to write a letter to Dr. Ashworth regarding the Board's decision and the conditions of his provisional licensure.

Complaint Review/Legal Matters [LSA-R.S. 42.6.1]:

- a. **P13-14-1C** - Pursuant to LSA R.S.42: 6.1(4) Dr. Zimmermann moved to enter Executive Session to discuss this matter. Dr. Zimmermann moved to close Executive Session to conduct the hearing in an Open Meeting at the request of the respondent, Alicia Pellegrin. Dr. Pettigrew presented the relevant facts to the Board. Pettigrew recommended that the Board dismiss the matter based on the recommendation of the prosecuting attorney James Raines. Dr. Burnett moved that the Board adopt the recommendation of Dr. Pettigrew to dismiss the matter. The motion passed unanimously by roll-call vote. Dr. Lambert moved to enter Executive Session to consult with Board Counsel, Lloyd Luncford. The motion passed unanimously by roll-call vote. Dr. Lambert moved to enter Open Session to vote on the motion to dismiss the complaint. The motion passed unanimously by roll-call vote. Dr. Lambert proposed a motion to dismiss the matter as recommended. The motion passed unanimously by roll-call vote.
- b. Consideration of a motion to dismiss **P13-14-1C** on prescription was rendered moot by the Board's decision to dismiss the complaint per Dr. Pettigrew's recommendation.

- c. **P12-13-10C, P13-14-4C, and P13-15-5C:** The Board reviewed the Opinion & Order of Revocation in this matter. Dr. Griffin moved to adopt the Opinion & Order with minor typographical revisions. The motion passed unanimously by roll-call vote. The Board's decision shall become final unless the Respondent files a written motion for rehearing, reopening or reconsideration by the Board within ten days from service of this decision in conformity with LAC 46:LVII.925, or files a petition for judicial review within thirty days of the issuance of this order, in conformity with La. R.S. 49:964 *et seq.*
- d. The Board discussed the resignation of C. Gary Pettigrew, Ph.D., as Complaints Coordinator, effective October 31, 2015. Dr. Pettigrew agreed to provide assistance in orienting the new Complaints Coordinator when hired.
- e. Drs. Zimmerman and Griffin reviewed the documentation from **Jack Johnson, Ph.D.** Dr. Zimmerman moved to fully reinstate the license of Dr. Johnson. The motion passed unanimously.

Oral Examinations[LSA-R.S. 42.6.1]:

Christiane Creveling-Benefield, Ph.D., appeared before the Board for an oral examination for registration of an additional specialization in the area of Clinical Psychology. The Board discussed Dr. Creveling-Benefield's oral examination. Dr. Griffin moved that the Board grant Dr. Creveling-Benefield a license to practice psychology with an additional specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously.

Laura A. Niditch, Ph.D., appeared before the Board for an oral examination in Clinical Psychology. The Board discussed Dr. Niditch's oral examination. Dr. Burnett moved that the Board grant Dr. Niditch a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously.

Supervision and Credentials Recommendations:

Drs. Zimmerman and Griffin reviewed the applications for licensure of: **Daniel Banken, Ph.D., Megan Binder, Ph.D., Amanda Galagher, Ph.D., Jennifer Hughes, Ph.D., Lindsey Poe, Ph.D., and Michael Sawyer, Ph.D.** Dr. Griffin moved to approve their Candidacy Status and invite them to take the Oral Examination for licensure. The Board discussed the motion. The motion passed unanimously.

Drs. Burnett and Lambert reviewed the Application for Licensure of **Jacqueline Ball, Ph.D.** Dr. Burnett moved to invite Dr. Ball to take the Oral and Jurisprudence exams for licensure. The motion passed unanimously.

Drs. Boggs and Lambert reviewed the Application for Licensure of **Ashley Jefferson, Ph.D.** Dr. Boggs moved to approve her Candidacy Status and invite her to take the EPPP. The motion passed unanimously. Dr. Boggs also moved to approve the Supervised Practice Plan of Dr. Jefferson. The motion passed unanimously.

Dr. Zimmerman reviewed the Application for Licensure of **Kristen Miller, Ph.D.** Dr. Zimmerman moved to approve her Candidacy Status and invite her to take the EPPP. The motion passed unanimously.

Dr. Burnett reviewed the Application for Licensure and Supervised Practice Plan of **Amber Allison, Ph.D.** Dr. Burnett moved to approve Dr. Allison's Supervised Practice Plan and notify her of additional missing application components. The motion passed unanimously.

Drs. Zimmerman and Griffin reviewed the Application for Licensure of **Alyse Blanchard, Ph.D.** Dr. Griffin moved that Dr. Blanchard be invited to take the Jurisprudence Exam for licensure. The motion passed unanimously. It was noted that Dr. Blanchard does not have a Supervised Practice Plan on file with the Board.

Drs. Zimmerman and Griffin reviewed the Application for Provisional Licensure of **Rosette Elghossain, Ph.D.** Dr. Zimmerman moved to approve the provisional licensure of Dr. Elghossain. The motion passed unanimously.

Drs. Zimmerman and Griffin reviewed the Application for Licensure of **Jill Anderson, Ph.D.** It was determined that this file was on track, no action was necessary.

Drs. Zimmerman and Griffin reviewed the Application for Licensure of **Tracey Vozar, Ph.D.** It was determined that this file was on track, no action was necessary.

Drs. Zimmerman and Griffin reviewed the Application for Temporary Registration of **Victoria Reynolds, Ph.D.** Dr. Griffin moved to approve the temporary registration of Dr. Reynolds and invite her to meet with the Board. The motion passed unanimously.

Drs. Zimmerman and Griffin reviewed the Reciprocity Application file of **Lisa Isaac, Ph.D.** Dr. Griffin moved to approve the licensure via reciprocity of Dr. Isaac and invite her to meet with the Board for licensure. The motion passed unanimously.

Dr. Burnett reviewed the Application for Licensure of **Dana Caruso, Ph.D.** Dr. Burnett moved to request clarification and additional information from Dr. Caruso with regard to her application. The motion passed unanimously

Drs. Zimmerman and Griffin reviewed the Application for Licensure of **Christa Matheny**. Dr. Zimmerman moved to license Dr. Matheny as a Licensed Specialist in School Psychology. The motion passed unanimously.

Executive Director's Report:

Dr. Greg Gormanous presented his report to the Board as resigning Executive Director. His resignation will be effective at the end of the day on September 18, 2015. Dr. Gormanous addressed several topics in his letter and report to the Board. Issues addressed include: Renewal/lapsed license report, challenges with the new website/vendor/database system, IT/Operational issues, consideration of a resolution to move the Board's banking account to Red River Bank, 2015/16 Nominations/Election process, and inviting Assistant Attorney General Boyce to present during the Board's scheduled meeting in November.

Committee Reports:

Finance Committee: The Board discussed the budget for attorney fees in light of the increased expenditures relating to disciplinary actions. Dr. Zimmerman moved to amend the budget for attorney fees to \$40,000.00. The board considered the motion and it passed without objection. The Board discussed postponing a decision regarding moving banking accounts to a new bank until a new Executive Director is hired.

Oral Examination Committee: No new report.

Jurisprudence Examination Committee: The Board discussed revisions needed to Item 6 of the jurisprudence exam. Dr. Zimmerman agreed to make necessary revisions.

Legislative Oversight Committee: The Board discussed the need to promulgate rules established in previous meetings. The Board also discussed reaching out to LPA and other professional organizations in the state regarding proposed changes and ideas.

Liaison to Professional Organizations and Boards: The Board discussed the importance of communicating with LPA and other stakeholders in regard to changes in the disciplinary process, concerns regarding the prescription period definition, and other issues relating to potential changes in the law. The Board also discussed the ASPPB

survey relating to development of competency exams in addition to the skills-based EPPP. Drs. Zimmerman and Boggs agreed to complete the survey.

Continuing Education: No new report.

Supervision/Credentials Review:

- a. The Board reviewed applicants and actions taken following file review in Executive Session.
- b. The Board discussed revising the licensure application form to clarify PLUS versus non-PLUS application status, etc. Dr. Gormanous noted that the ASPPB has agreed to extend the LSBEP free trial period if needed through 50 applicants.
- c. The Board discussed communication from Dr. Breitbach regarding waiving the requirement for a criminal background check (CBC) to be completed through the Louisiana State Police (LSP) for psychologists in the military with active security clearance (or clearance that would supersede the LSP). The Board opined that the CBC through the LSP was necessary to ensure that the Board receives notification of any future offenses.
- d. The Board reviewed and discussed the Mississippi Board of Psychology Temporary Practice Certificate. It was noted that a date would be needed on the certificate.
- e. The Board reviewed correspondence from Cam Melville, Ph.D., of the McNeese State University Psychology Department requesting information on the supervision of applicants for licensure as behavior analysts or line technicians by the Louisiana Behavior Analysis Board, or applicants for licensure as counselors by the Licensed Professional Counselor Board, by psychologists. The Board carefully considered the request and opined that provided the activities for which the psychologist is supervising the technician are within that psychologist's scope of practice and competence, it is acceptable for such a supervisory relationship to occur. As to whether or not such supervised practice would be "counted" toward licensure by other boards, the Board opined that the answer would be up to the other boards. Dr. Lambert agreed to write a letter in response to Dr. Melville regarding his request for information.

Complaints Committee: The Board discussed adopting the APA Ethical Principles of Psychologists and Code of Conduct with 2010 Amendments and/or the 2005 ASPPB Code of Conduct. The Board decided to request an opinion from LPA with regard to including one or the other or both Codes in the rule regarding ethics. The Board will request that LPA provide an opinion by the October 23, 2015 scheduled Board meeting.

Long Range Planning: The Board confirmed the scheduled annual Long Range Planning Meeting to occur on November 19, 2015. The Board discussed consideration of revising Continuing Professional Development rules regarding scheduled Peer Consultation activities and calculation of credit for such activities.

LBAB Liaison Report: Dr. Burnett reported that she will be attending the LBAB meeting on September 22, 2015 as liaison from LSBEP.

Professionalism Workgroup: No new report.

LSBEP Education & Outreach: No new report.

Discussion Items:

1. The Board discussed posting the Confidentiality Agreement approved at the May 2015 Board meeting.
2. The Board discussed the length of the prescription period in Louisiana's laws, rules, and regulations. Drs. Zimmerman and Lambert were appointed to follow up with Board Counsel regarding this topic and report back to the Board. The Board discussed concern with the inconsistency between the law and the rule. The Board also discussed the definition of the "Board" as stated in laws and rules in terms of whether the definition includes agents of the Board (i.e., Executive Director) or only Board Members.
3. The Board again discussed the Executive Director vacancy. The Board reported that since Dr. Greg Gormanous's resignation occurred during his probationary period of employment, the position would be offered to another qualified applicant from the same hiring period. The Board reported on the motion to offer the position to Jaime Monic effective immediately, with salary to be negotiated commensurate with her skillset and experience. There was no opposition. Dr. Burnett moved that Dr. Zimmerman be allowed to contact Jaime Monic and make the offer of employment. The motion passed unanimously without opposition.

Public Hour:

Dr. Zimmerman opened the floor to public comments at approximately 2:45 p.m. Carrie Jones, attorney with Shows, Cali, and Walsh, LLC, indicated that she wished to address the Board. She called attention to legal documents regarding the interpretation of "prescription" in the laws and rules. Additionally, Ms. Jones discussed the benefits of considering definitions in the laws and rules (e.g., clearly defining the "Board"). Ms. Jones also presented an argument for precedent in that other regulatory boards in Louisiana do not specify "prescription" other than in Administrative Code.

Dr. Kim VanGeffen, on behalf of LPA, indicated that she wished to address the Board. Dr. VanGeffen addressed the board about the LSBEP elections process and requested that LPA and the Board work collaboratively to develop the LSBEP elections procedures.

The Board also discussed the difference between the missions of LPA and the Board in that LPA's role is to advocate for the profession of psychology while the mission of the Board is to protect the public.

Dr. Zimmerman moved to adjourn the meeting at 3:15 p.m.