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**State of Arizona**  
**Board of Psychologist Examiners**

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**Staff**

- Dr. Cindy Olvey  
Executive Director
- Lynanne Chapman  
Deputy Director
- Heather Broaddus  
Licensing Coordinator
- Krishna Poe  
Administrative Assistant

**BOARD OF PSYCHOLOGIST EXAMINERS**  
**LEGISLATIVE COMMITTEE**  
**REGULAR SESSION MINUTES**

*January 19, 2017*  
*2:30 p.m.*  
*1400 W. Washington, Suite 240*  
*Phoenix, AZ 85007*

**The Committee Chair reserves the right to change the order of items on the agenda. Matters set for a specific time are approximate and agenda items may be tabled to another meeting. Upon a vote of a majority of the quorum, the Committee may go into Executive Session on any item on the agenda, pursuant to A.R.S. § 38-431.03(A)(3), to receive confidential legal advice from the Board’s attorney.**

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**1) CALL TO ORDER**

The regular session of the Arizona State Board of Psychologist Examiners Legislative Committee was called to order by Dr. Bohanske at 2:31 p.m. on January 19, 2017. No Executive Sessions were held.

**2) ROLL CALL**

**Legislative Committee Members Present**

- Bob Bohanske, Ph.D., FNAP, -Chair
- Lynn L. Flowers, Ph.D.
- Ramona Mellott, Ph.D.

**Staff Present**

- Dr. Cindy Olvey, Executive Director
- Krishna Poe, Administrative Assistant

**Attorney General’s Office**

- Jeanne Galvin, Assistant Attorney General

**3) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PROPOSED LEGISLATION PERTAINING TO BEHAVIOR ANALYSTS**

Dr. Olvey provided a summary indicating that legislation pertaining to Behavior Analysis is still being drafted. Board Members discussed the concepts that form the basis of the legislation and identified areas of concern or those needing further clarification. Committee members recommended that members of the Committee on Behavior Analysts be appointed by the Governor. Committee members expressed concern that it appears the Committee on Behavior Analysts is not advisory to the Board. Rather, the Board would be required to ratify the recommendations of the Committee on Behavior Analysts except under limited circumstances. Committee members recommended that the Committee on Behavior Analysts be advisory to the Board.

Concerns were also expressed by Committee members that requiring the Behavior Analyst Board member to be present in the event the Board decided to approve alternative action not recommended by the Committee on Behavior Analysts may present challenges. For example, the Behavior Analyst Board member may need to recuse from the matter and there may be issues complying with the statutory requirement. Further, if the Behavior Analyst Board member was not present at the Board meeting, delays could result.

Committee members discussed that additional expense would be incurred by the Board by adding a 10<sup>th</sup> Board member and creating the Committee on Behavior Analysts. Additional appropriation would be needed to pay for those costs. The Board's mission to protect the public was also discussed.

It was the consensus of the Committee that the Board Chair and Executive Director schedule a meeting with the Governor's staff to communicate recommendations and concerns.

**4) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO PROPOSED OR INTRODUCED LEGISLATIVE BILLS INCLUDING, BUT NOT LIMITED TO, HB 2301, SB 1071, SB 1072**

Dr. Olvey provided a summary of each proposed bill identified on the agenda including HB 2301 Child Custody; Investigators; Appointment, related to legal decision-making, parenting time, and custody evaluations. It was the consensus of the Committee to monitor this bill. SB 1071 Provisional Licenses; Criminal Convictions (Provisional licenses for ex-offenders), would require all licensing authorities to issue to an otherwise qualified applicant convicted of offenses in certain circumstances, a provisional license. It was the consensus of the Committee to monitor this bill. SB 1072 Administrative Decisions; Scope of Review, relates to judicial review of administrative decisions. The Committee will monitor progress of this bill. Dr. Olvey summarized Folders 65 and 70, which would affect all health profession regulatory boards. Committee members recommended the Executive Director seek clarification regarding whether the proposed language in Folder 65 might affect the confidentiality of complaints submitted to the Board. Folder 70 would create a public appeals process for agency rules through the Governor's Regulatory Review Council (GRRC). It was the consensus of the Committee to continue to monitor Folders 65 and 70.

**5) NEW AGENDA ITEMS FOR FUTURE MEETINGS**

There were no items for future meetings.

**6) ADJOURNMENT**

Dr. Mellott made a motion, seconded by Dr. Flowers, to adjourn the meeting at 3:47 p.m. The Motion carried 3-0.

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Bob Bohanske, Ph.D., FNAP  
Committee Chair