

STATE OF ARIZONA
BOARD OF PSYCHOLOGIST EXAMINERS
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DOUGLAS A. DUCEY
Governor

HEIDI HERBST PAAKKONEN, M.P.A.
Executive Director

Regular Session Meeting Minutes

Held virtually via Zoom on October 2, 2020

Board Members

Tamara A. Shreeve, MPA – Chair
Diana Davis-Wilson, DBH, LBA, BCBA – Vice-Chair
Ramona N. Mellott, Ph.D. – Secretary
Bob Bohanske, Ph.D., FNAP
Linda Caterino, Ph.D., ABPP
Bryan Davey, Ph.D., BCBA-D
Aditya Dynar, Esq.
Stephen Gill, Ph.D.
Melanie Laboy, Esq.
Matthew A. Meier, Psy.D.

1. CALL TO ORDER

Chairwoman Shreeve called the Board's meeting to order at 8:31 a.m.

2. ROLL CALL

The following Board members were present: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Mr. Dynar, Dr. Gill, and Dr. Meier. The following Board member was absent: Ms. Laboy.

ALSO PRESENT

The following Board staff participated in the virtual meeting: Heidi Herbst Paakkonen, Executive Director; Jennifer Michaelson, Deputy Director; Jeanne Galvin, Assistant Attorney General (AAG); Kathy Fowkes, Licensing Specialist; Krishna Poe, Program & Project Specialist; and, Andrea Cisneros, Minutes Administrator. AAG Marc Harris participated in the virtual meeting to provide the Board independent legal advice on the hearing case(s) as referenced herein.

3. REMARKS/ANNOUNCEMENTS

This item was considered around 8:33 a.m.

- **Board Surveys**

Chairwoman Shreeve encouraged meeting attendees to provide feedback by contacting Board staff and completing a Board Meeting Assessment Survey.

- **Board Member and Staff Appreciation**

Chairwoman Shreeve acknowledged and thanked Board members and staff for their efforts in facilitating the Board's meetings.

- **Continuing education credit for Board meeting attendance**

Chairwoman Shreeve announced that meeting attendees are eligible for education credit. She reported that code words would be provided throughout today's meeting that attendees are to email Board staff within one week of the meeting.

4. CALL TO THE PUBLIC

This item was introduced around 8:34 a.m. No individuals addressed the Board during the Call to the Public.

5. COUNSEL UPDATE

This item was introduced around 8:35 a.m.

AAG Galvin reported that the matter involving Dr. Sadeh is pending appeal to Superior Court, and that she will keep the Board apprised of any further developments as the matter progresses through the process.

6. CONSENT AGENDA - DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION

The Consent Agenda was introduced around 8:36 a.m. Dr. Meier joined the meeting around this time as well.

MOTION: Dr. Mellott moved for the Board to approve the items as listed under the Consent Agenda.

SECOND: Dr. Meier

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Dr. Gill, and Dr. Meier. The following Board members were absent: Mr. Dynar and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

A. APPROVAL OF MINUTES

- April 15, 2020 Regular Session Minutes
- September 4, 2020 Regular Session Minutes
- Executive Session Minutes – AzPA Support Letter Legal Advice
- Executive Session Minutes – Dr. Galper Confidential Records
- Executive Session Minutes – Dr. Padilla Legal Advice
- Executive Session Minutes – Dr. Sadeh Legal Advice
- Executive Session Minutes – Dr. Zecharia Legal Advice

B. EXECUTIVE DIRECTOR'S REPORT

Chairwoman Shreeve stated her appreciation for Ms. Poe and thanked her for her hard work and efforts.

C. DISCUSSION/DECISION REGARDING PSYCHOLOGIST APPLICATIONS

Requesting Approval to Sit for Examination (EPPP) Only

- 1) Sally McGregor, Psy.D.

Requesting Approval to Sit for Examination (EPPP) & Licensure

- 1) Brian M. Bantel, Psy.D.
- 2) Chun Tao, Ph.D.
- 3) Laura Golden, Psy.D.
- 4) Michael Volrich, Ph.D.

Requesting Approval for Licensure by Waiver

- 1) Ahmad Sadek, Psy.D.
- 2) Max Shannon, Psy.D.
- 3) Nancy Truong, Ph.D.

Requesting Approval of Temporary Licensure and to Sit for EPPP

- 1) Megan Wiley, Psy.D.

Requesting Approval for Licensure by Universal Recognition

- 1) Lynette K. Suarez, Psy.D.

D. DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- 1) Anna Reimers, M.Ed.
- 2) Brooke Seavitt, M.Ed.
- 3) Jessica Irwin, M.A.
- 4) Mykaela Sigler, M.Ed.
- 5) Patrycja Motylewicz, M.S.
- 6) Renee Mallory, M.S.
- 7) Shelby J. Leinweber, M.A.
- 8) Laura Darcy, Ph.D. (Universal Recognition)

TIMED ITEM – 8:45 a.m.

7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING AN INFORMAL SETTLEMENT CONFERENCE FOR NEAL OLSHAN, PH.D., IN COMPLAINT NO. 21F-2003-PSY, INCLUDING POSSIBLE SETTLEMENT OF CASE NO. 21F-2003-PSY, VACATING THE FORMAL HEARING OR REJECTION OF OFFER OF SETTLEMENT

This item was introduced around 8:45 a.m.

Dr. Olshan participated in the virtual meeting during the Board's consideration of this matter. AAG Galvin participated on behalf of the State and AAG Harris participated in the virtual meeting to provide the Board with independent legal advice.

Deputy Director Michaelsen summarized that at its meeting on January 10, 2020, the Board conducted an informal interview for this pending complaint. Dr. Olshan did not appear at that meeting. In July 2019, the Board received a complaint alleging that Dr. Olshan had indicated treatment would be accomplished through audiogenic tapes, but never provided the tapes to the client. The complaint reported that Dr. Olshan did not provide him the psychotherapy that he paid for and that the licensee did not respond to his multiple requests. After filing the complaint with the Board, the complainant informed Board staff that Dr. Olshan ultimately sent him the tapes. According to Dr. Olshan, the complainant's emails went to his spam folder and were not received. Deputy Director Michaelsen further summarized that during the course of the investigation, Dr. Olshan failed to comply with a Board subpoena to appear, failed to respond to a subpoena requesting the patient's clinical records, and failed to provide adequate evidence to support his claim of a medical issue that prevented him from participating in the Board's processes. At the informal interview, the Board discussed the licensee's lack of cooperation as a possible indication that he is not capable of practicing psychology competency and safely, nor is he willing to be regulated. The Board at that time voted to proceed to Formal Hearing for license revocation and to offer the licensee a Consent Agreement for voluntary surrender of licensure in lieu of formal proceedings for license revocation. Following the Board's meeting, Dr. Olshan informed staff that he would not surrender his license and planned to retain legal counsel.

At its June 2020 meeting, the Board considered the request made by Dr. Olshan's counsel Mr. John Agra for the Board to consider possible alternatives to license revocation to resolve this matter. Dr. Olshan and Mr. Agra were in attendance at the time, and the Board noted at that meeting that Dr. Olshan conducted over 300 examinations during the period of time for which he reported that he could not appear due to medical issues. The Board questioned Dr. Olshan's ability to work at the same time that he was not able to cooperate with the Board and participate in these proceedings. Deputy Director Michaelsen stated that the typed session notes appeared to have been generated after-the-fact, and appeared to include comments of what the licensee believed

he may have been thinking at the time. The Board noted that the handwritten session notes had not been received, and at the June 2020 meeting, the Board voted to proceed to Formal Hearing for license revocation. Deputy Director Michaelsen reported that the Formal Hearing was originally scheduled for September 21, 2020, that Dr. Olshan's request for a continuance was granted, and that the Formal Hearing is currently scheduled for November 10, 2020. Deputy Director Michaelsen added that Dr. Olshan has submitted a request for settlement conference with the Board and is no longer represented by counsel. She clarified that Dr. Olshan has ignored a total of three subpoenas issued by the Board during the course of the investigation, one requesting the clinical records and two commanding his appearance before the Board.

Dr. Olshan apologized to the Board for any problems he may have caused and any disrespect of the Board members. He stated that he has been practicing psychology since 1975 and that this is the first complaint that has brought him before the Board. Dr. Olshan stated that while he believes he is an excellent therapist, he is not a very good administrator and that for this reason, his wife performs the administrative duties of the office. He stated that clients are provided with her information and are instructed to contact her when he cannot be reached. Dr. Olshan stated that when he first received notification from the Board, he was having major back surgery scheduled for two days prior to the Board's meeting. He stated that he submitted information to the Board's staff regarding his medical issues, including various heart studies and orders from the surgeon specifying when surgery was scheduled. He stated that his situation is unique in that his medical issues do not affect his practice as he is not in pain when he is sitting. Dr. Olshan stated that the complainant knew to contact his wife with any questions or concerns, and never did so when he had concerns regarding the audio tapes not being received. Dr. Olshan admitted that he did not handle this matter appropriately, and asked the Board to consider resolving this matter by requiring him to double his CE credit requirements for the next two years.

Chairwoman Shreeve stated her concerns regarding the licensee's lack of cooperation with the Board, and questioned Dr. Olshan as to why he has not yet provided the Board with the complete clinical file for this client. Dr. Olshan agreed that his behavior with this Board has been unprofessional, and stated that it was his understanding that the issue of the complete clinical file was resolved when the Board forwarded the case to Formal Hearing. Dr. Olshan disagreed with the assumption that his uncooperative behavior with the Board indicated that poor clinical decision making. He reiterated that his wife handles the administrative responsibilities, and stated that if he was handling clients inappropriately, the Board would have received additional complaints. Dr. Bohanske stated that the Board is tasked with protecting the public, and that Dr. Olshan is the holder of the license. Dr. Bohanske recognized that Dr. Olshan has had a lengthy career, and stated that whether he is making good decisions is at question here based on his failure to comply with three Board subpoenas. Dr. Bohanske questioned whether Dr. Olshan was making decisions that the Board can trust are safe, effective, appropriate, and correct in terms of the evaluation he performs and the reports he is writing. Dr. Olshan stated that his reports have been reviewed by multiple individuals involved in the court's processes and that no one has complained about his work or questioned his professionalism. Dr. Meier recalled that Dr. Olshan was asked at the Board's last meeting to provide the handwritten notes. Dr. Olshan reiterated that he believed that matter had been resolved. Dr. Meier stated his concerns regarding the Board's inability to obtain and examine the client's complete file in this case.

Board staff confirmed that a subpoena was issued requesting the licensee to provide the complete client file for the Board's review and that the handwritten notes were never received. Dr. Olshan stated that he could submit those notes to the Board, and again stated that he understood that issue to have been satisfied. Dr. Mellott noted that staff confirmed Dr. Olshan previously submitted information regarding his medical issues and that the Board denied his prior requests for continuances. Chairwoman Shreeve reiterated her concerns relating to Dr. Olshan's failure to cooperate with the Board's investigation and the failure to provide a complete client file. She suggested requiring a practice monitor if the Board elects to not proceed with license revocation to ensure that Dr. Olshan's engagement with the Board is not the same with his clients. Dr. Mellott agreed and stated that the licensee would benefit from a practice monitor to help him follow current standards of practice and taking responsibility for responding in a timely manner. Dr. Meier stated his concerns that the Board has still not received a complete client file in this case, and stated that he was not comfortable proceeding with any decision when the full record has not been provided. Dr. Gill questioned whether the Board could proceed with a practice monitor contingent upon the submission and receipt of the complete client file.

MOTION: Chairwoman Shreeve moved for the Board to enter into Executive Session to obtain legal advice pursuant to A.R.S. § 38-431.03(3).

SECOND: Dr. Meier

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Dr. Gill, and Dr. Meier. The following Board members were absent: Mr. Dynar and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

The Board entered into Executive Session at 9:38 a.m.

The Board returned to Open Session at 10:02 a.m.

No legal action was taken by the Board during Executive Session.

Chairwoman Shreeve stated that the Board's concerns relate to the licensee's lack of response to legal requests. She questioned whether the Board should offer a Consent Agreement for stayed revocation with certain requirements. Deputy Director Michealsen informed the Board that Dr. Olshan declined the previously offered Consent Agreement for voluntary surrender of licensure. Dr. Mellott stated that she would like to see the handwritten notes to verify the existence of the progress notes. AAG Harris confirmed that the matter was referred to Formal Hearing due to the licensee's failure to cooperate with the investigation, and clarified that one of the Board's options would be to table the issue of lack of cooperation to have an opportunity to review the progress notes. The Board noted that after the Formal Hearing is held and the Administrative Law Judge issues a recommended decision, the matter will return to the Board for further consideration and final action. Dr. Meier spoke in favor of proceeding with the Formal Hearing and requesting the licensee to submit the handwritten notes in the interim. The Board discussed requesting the client records be received no later than October 13, 2020, and agendizing this case for the November 2020 meeting for further consideration prior to the scheduled Formal Hearing.

MOTION: Chairwoman Shreeve moved for the Board to continue with the November 10, 2020 Formal Hearing, in the interim the licensee shall produce by October 13, 2020 the progress notes and any other documentation the Board previously requested, and the case shall be scheduled for further consideration at the Board's November 2020 meeting.

SECOND: Dr. Meier

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Dr. Gill, and Dr. Meier. The following Board members were absent: Mr. Dynar and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

Chairwoman Shreeve instructed the licensee to submit the information to the Board no later than October 13, 2020. Dr. Olshan stated that he will do anything to preserve his license and ability to continue practicing.

TIMED ITEM – 9:30 a.m.

8. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO THE INITIAL CASE REVIEW OF THE FOLLOWING COMPLAINTS REVIEWED BY THE COMMITTEE ON BEHAVIOR ANALYSTS

a) Complaint No. 21-01 Brian Schaffer, M.S. (Dr. Davis-Wilson)

This item was introduced around 10:30 a.m.

Mr. Shaffer and Attorney Flynn Carey participated in the virtual meeting during the Board's consideration of this matter. Complainant HR also participated in these virtual proceedings.

Vice-Chairwoman Davis-Wilson summarized that the Board received a complaint from HR on July 16,

2020 with allegations of roughhousing with the client, mocking the client and other inappropriate behaviors, and that the agency suspended Mr. Shaffer while the matter was being investigated. No other reports of physical abuse or inappropriate activity were observed; the agency noted that a performance improvement plan had been in place for issues related to professionalism, and based on the circumstances of the recent incident and footage reviewed, the agency elected to terminate Mr. Shaffer's employment. The complainant in this case also reported the matter to the Behavior Analyst Certification Board (BACB), The Arizona Department of Child Safety (DCS) and the Phoenix Police Department. HRs also spoke with the client's family and notified them of the circumstances and investigation that had occurred. During the course of the Board's investigation, staff subpoenaed multiple records including a complete client record, Mr. Shaffer's employment record, and video clips of the alleged incident that did not contain any audio. Vice-Chairwoman Davis-Wilson noted that not all of the video clips aligned with the commentary provided by the agency, and that upon request of further video footage, the agency reported that it could no longer be retrieved.

Vice-Chairwoman Davis-Wilson reported that Dr. Shaffer submitted a timely response to the complaint describing his background, training and experience. Mr. Shaffer has no prior Board history, and he explained in his correspondence that Applied Behavior Analytic (ABA) services were provided in the client's home; however, due to the current pandemic, the last two sessions were held in the clinic and included a Registered Behavior Technician (RBT). Mr. Shaffer had reported that the Registered Behavior Technician (RBT) was unfamiliar with the client and his clinical background, and may not have known that some of the games they played were used to motivate and reinforce the client's good behavior. Board staff confirmed that no criminal charges were filed against Mr. Shaffer and that the case was closed on July 31, 2020. As a result of the incident, Mr. Shaffer voluntarily completed continuing education (CE) units in ethics. The Committee on Behavior Analysts (CBA) reviewed this matter and identified several concerns and standard of care discrepancies related to delivery of treatment. Additional responses from Mr. Shaffer and counsel were submitted to the Board following the CBA review.

Complainant HR stated that the agency is an organization that is committed to providing services ethically and in an atmosphere that promotes a culture of continuous learning for all. Vice-Chairwoman Davis-Wilson questioned HR regarding the agency's process for receiving consent for video recording clients. HR stated that the agency informs parents of the video recordings being in the clinic in the parent handbook as well as the handbook provided to the Board in this matter. Chairwoman Shreeve commented that the video consent form appeared to address advertising or promotions, and did not appear to regard videotaping of therapy sessions with clients. Dr. Bohanske pointed out that the complaint was not against the agency and procedures on videotaping. Chairwoman Shreeve disagreed and stated that based on her review of the consent forms, she did not find consent for those videos that were used as a form of evidence in the complaint. Vice-Chairwoman Davis-Wilson commented that an issue discussed at the CBA meeting involved the licensee's responses indicating that he was following the organization's policies, and were tasked with differentiating expectations per the code of conduct for Behavior Analysts versus what would fall under practice with the agency.

Dr. Davey commented that HR was not the right individual to be questioning, and pointed out that she is an RBT subject to supervision by a Behavior Analyst at the agency. He agreed with Dr. Bohanske's comments that this matter focused on the Behavior Analyst's behavior prior to and during the therapy sessions. HR clarified that she was not an RBT and that this matter was brought to her attention by the operations manager after the RBT reported concerns. Dr. Davey questioned HR regarding what steps the agency took to mitigate the situation prior to filing a complaint with the Board against Mr. Shaffer. HR stated that the matter was staffed and investigated, and that she was ultimately advised to file a complaint as they felt it would not be in the client's best interest to continue in therapy with Mr. Shaffer. HR explained that she did not personally witness the interactions between Mr. Shaffer and the client, but that she reviewed the video footage and was uncomfortable with the interactions she observed. HR pointed out that there had already been a performance improvement plan in place for Mr. Shaffer at the agency.

Mr. Carey stated that the organization did not follow a number of its obligations in this matter and

attempted to run interference to protect some of the issues that have come to light. Mr. Carey stated that the organization did not take the appropriate steps to try and deal with the situation by an informal resolution and withheld the client's prior charts in response to the Board's subpoena that would have demonstrated the progress made in therapy with Mr. Shaffer. Mr. Carey reported that the Phoenix Police Department looked into the matter and did not find a criminal violation, DCS did not substantiate any findings, and the national certification organization returned Mr. Shaffer to active status following the CBA meeting. He stated that this case began with egregious allegations and that further investigation revealed concerns relating only to documentation, modalities used, and no pressing imminent harm. Mr. Carey stated that the documentation issues identified were a result of the organizations failure to have proper protocols in place. He stated that Mr. Shaffer changed the treatment plan to better meet the child's needs, and that the RBT who observed Mr. Shaffer's interactions with the client did not express concerns regarding the treatment being provided. He stated that Mr. Shaffer's time with the client was cut short, and many reinforcers were not documented in the treatment plan as many of the behaviors had not yet manifested. Mr. Carey stated that Mr. Shaffer is a younger Behavior Analyst who could benefit from additional education, and asked the Board to consider resolving this matter with a non-disciplinary Consent Agreement requiring further education.

Dr. Davey stated his concerns regarding the lack of a preference assessment and data demonstrating that the activities were appropriate in terms of increasing appropriate behavior. Vice-Chairwoman Davis-Wilson questioned the licensee regarding the clinical basis for guiding parent training. Mr. Shaffer clarified that he saw the client over the course of two months, that parent training was pretty challenging, and that the parent training session would often resort to an hour of discussing the client's behavior and progress. Mr. Shaffer stated that he expected to have at least one year with this client, and that he wanted to make sure he was in the best position to provide parent training, but barely had instructional control over the client by the time services ended. With regard to preference assessments, Mr. Shaffer explained that it is his experience that such an assessment is performed when it is difficult to identify reinforcers, and that this client was clearly able to communicate what he wanted without any ambiguity. In response to further questioning by the Vice-Chair, Mr. Shaffer stated that the least restrictive procedures were used with this client, and explained that at the time he was seen in the clinic, strict COVID procedures were in place and it was important to keep the client from leaving the room and entering other pods.

Dr. Meier questioned the use of the type of play therapy that was being implemented for this client, and stated his concerns regarding instances on the video of activities that appeared to be extreme and potentially dangerous. Dr. Meier also questioned how such a level of roughhousing would prepare the client for interacting appropriately in kindergarten when such behavior would not be acceptable. He further questioned the use of sarcasm in a four year-old with difficulties interpreting social interactions. Mr. Shaffer stated that he has learned from this case and clarified that the client was not harmed and that he never actually made any contact with him and was able to control the situation. He stated that it is very common in ABA therapy for kids who lack social skills to have a goal of understanding sarcasm. He stated that he used sarcasm as teaching opportunities. Dr. Meier noted that there was no mention of intentionally using sarcasm or discussion with the mother in the client's records. Mr. Shaffer stated that the goals at the onset of treatment changed over time and that there were a few things he would need to add to the treatment plan upon the six month review, and that he had been instructed not to make any changes until that time. Dr. Bohanske stated that the standard of care requires documentation as to whether they are meeting treatment goals or development of a new treatment process as therapy progresses.

Dr. Gill recognized that Mr. Shaffer mentioned in is correspondence to the Board that there was no team effort for this client and that he was operating on his own. Mr. Shaffer stated that there were several instances where he attempted to engage with HR, his clinical director, regarding this client and that she did not respond in a fashion that showed interested in discussing the case further. He stated that HR never met with him to discuss this client. Mr. Shaffer reported that he called HR after not hearing from her for a couple of weeks to question her, and the following day the performance improvement plan was implemented. He stated that he never received any oversight or supervision during his time with this

client. He added that the organization did not attempt to remedy the situation with him prior to filing a complaint. In response to Dr. Caterino's questioning, Mr. Shaffer explained that there were no specific incidences mentioned in the performance improvement plan other than unprofessionalism in general. He stated that this case was a good lesson in documentation and plans to record everything going forward as opposed to a general summary.

Mr. Dynar joined the virtual meeting around 11:52 a.m.

Vice-Chairwoman Davis-Wilson stated her concerns regarding documentation in that the treatment notes did not align with the treatment plan, and Mr. Shaffer's comments that these were caused by the organization's lack of support and supervision. Dr. Mellott reminded the Board that this matter was agendaized for initial case review only. She questioned the licensee regarding his expectations and goals at the time that he began working for the organization. Mr. Shaffer stated that he planned to work towards becoming the clinical director and was told he was on track for that. He stated there was no clinical director at the location where he practiced, and that he was on his own until he demanded that HR establish a clinical director relationship with him.

Vice-Chairwoman Davis-Wilson commented that the CBA discussed the lack of evidence substantiating some of the concerns reported due to the inaudible videos and missing footage. She stated that the CBA was concerned regarding Mr. Shaffer's failure to utilize other safety mechanisms if there was a concern that the child was attempting to leave the room. The CBA noted that there was no actual assessment done or used to formulate the treatment plan, and the treatment plan did not match the progress notes. Vice-Chairwoman Davis-Wilson stated that she remained concerned with similar issues as identified by the CBA as violations of the ethical code of conduct for Behavior Analysts. Dr. Davey echoed the Vice-Chair's comments, and stated his concerns regarding ethics and professionalism, and the lack of documentation. He spoke in favor of issuing a non-disciplinary Letter of Concern. The Board discussed proceeding to informal interview and authorizing the AAG to negotiate a Consent Agreement in the interim for CEs and supervision to address the Board's concerns. Dr. Meier spoke in favor of a practice monitor and the Board noted that Mr. Shaffer appeared to be open to supervision. Dr. Bohanske spoke in support of offering a Consent Agreement for further education and practice monitoring.

MOTION: Dr. Bohanske moved for the Board to proceed to informal interview and in the interim authorize staff to negotiate a Consent Agreement for Probation to obtain a Board approved Practice Monitor. The licensee shall meet with the Practice Monitor twice a month for one hour each session, and the Practice Monitor shall submit quarterly reports to the Board. After one year, the Board will review the case to determine whether further monitoring is required. The licensee shall complete 3 hours of CEs in the following subject areas: assessment and treatment, preference assessments, clinical documentation/treatment plans, ethics, and professionalism. The CE hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Davey

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Dr. Gill, and Dr. Meier. The following Board member abstained: Mr. Dynar. The following Board member was absent: Ms. Laboy.

VOTE: 8-yay, 0-nay, 1-abstain, 0-recuse, 1-absent.

MOTION PASSED.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEW OF THE FOLLOWING COMPLAINTS

- a) **Complaint No. 20-43 John Carlson, Ph.D.**
This item was introduced around 12:22 p.m.

Dr. Carlson and Attorney Faren Akins participated in the virtual meeting during the Board's consideration

of this matter. Complainant DC also participated in the virtual meeting.

Dr. Mellott summarized that the Board received a complaint from DC regarding treatment with Dr. Carlson. DC stated in his complaint that in response to his request for his entire treatment record, he received copies of handwritten notes that were difficult to read due to Dr. Carlson's poor handwriting. Thereafter, DC requested typed notes, including the notes that were submitted with the billing for services. Dr. Carlson reportedly told DC that typed notes did not exist and that he was not required to send any notes for billing. After a few months, DC called the office and eventually received the typed notes, but did not receive any notes associated with the billing. Dr. Carlson again informed DC that such documentation did not exist. The Complaint Screening Committee (CSC) reviewed the case and expressed concerns relating to inadequate documentation. The CSC noted a lack of informed consent, treatment plan, diagnosis, and clinical justification for the diagnosis. The Committee also noted a lot of gaps with no treatment goals cited or treatment plan outlined. The CSC found that Dr. Carlson's practices were outdated and did not align with current ethical standards for the practice of psychology. The CSC elected to forward this matter to the full Board for consideration of potential violations of A.R.S. § 32-2061(16)(H) and (DD) as it pertains to 3.10 and 6.01. The Board noted that Dr. Carlson has completed CE in recordkeeping and has implemented a number of changes to improve his documentation going forward.

DC stated that Dr. Carlson told him that he could help him with his condition, but that he felt the licensee was never really interested in helping him. DC stated that he did not receive his complete file and that he walked away from his treatment with Dr. Carlson even more confused. DC added that for these reasons, he elected to file a complaint with the Board.

Dr. Carlson stated that the client misunderstood and had difficulty reading his notes. Dr. Carlson stated he was embarrassed that despite being in practice for many years, he was not aware that an informed consent for therapy should be in written form. He stated that this was an honest oversight on his part and that he has been taking many steps to correct and update his overall documentation. Dr. Carlson reported that he sent the client another copy of his entire file including typed notes. He stated that he completed 12 hours in CE courses related to the issues raised in this case. Dr. Carlson described for the Board the multiple corrective measures he has undertaken, including having informed consent forms in his client's files, updating of assessment and treatment forms, and that he has been making efforts to ensure his handwritten notes are more legible. Dr. Carlson confirmed for the Board that the client has been provided his entire file.

Dr. Bohanske questioned how a senior clinician such as Dr. Carlson can go 20+ years without reviewing the requirements for practicing in the field of psychology. Dr. Bohanske noted that Dr. Carlson had indicated that he last reviewed the statutes and rules pertaining to the practice of psychology in Arizona in the 90's around the time of initial licensure. Dr. Carlson clarified that he reviewed the statutes and rules while preparing for the CSC meeting as well as today's proceedings. In response to Dr. Meier's questioning, Dr. Carlson reported that he provided EMDR treatment to DC, and explained that partly through the treatment, he found that they were not making any progress and wanted to focus more on the client's coping skills. Dr. Carlson stated that he discussed this with DC and that was where they left off therapy. Dr. Gill questioned the licensee as to whether he carefully reviewed DC's VA assessment regarding his prior diagnosis and whether or not he was aware of DC's prior non-compliance with treatment interventions. Dr. Carlson stated that he was aware of the information, and that he generally takes an optimistic view of possibilities with clients despite their histories.

Dr. Mellott observed that Dr. Carlson submitted both the handwritten and typed notes for the Board's review, and that the CSC found the notes to be sparse and lacked a lot of clinical forms and processes expected of clinicians. Dr. Mellott recognized the corrective measures reported by Dr. Carlson, including the creation of new forms, the seeking of consultation from a colleague and addressing many of the identified deficiencies. Dr. Mellott spoke in support of issuing a non-disciplinary Letter of Concern and questioned whether additional CEs were warranted. Dr. Meier stated that it did not appear that the

concerns were addressed as the complainant reported that he received poor treatment from Dr. Carlson. Dr. Meier stated that the records do not suggest otherwise, and commented that it was not clear that the treatment met the acceptable standards of care in this case. Dr. Mellott pointed out that Dr. Carlson elected to discontinue EMDR when he found the client was not making progress rather than continue to provide a treatment that was not being very effective. Dr. Meier stated that the records do not include detailed information regarding what was discussed with the client and how the treatment plan was modified.

The Board observed that Dr. Carlson completed a total of 12 CE hours in topics including recordkeeping and psychotherapy, as well as understanding trauma and stress disorders. Dr. Bohanske agreed with Dr. Mellott's comments and stated that Dr. Carlson's remediation efforts are what the Board would expect of a senior clinician that has a complaint filed against them, and that the licensee's corrective actions are what the Board would have recommended to address the issues identified in this case. Dr. Bohanske spoke in favor of a Letter of Concern and CE based on the changes made to Dr. Carlson's practice, including seeking consultation and voluntarily obtaining further education.

MOTION: Dr. Mellott moved for the Board to issue a non-disciplinary Letter of Concern and Order for Non-Disciplinary CE to obtain 6 hours within six months of pre-approved CEs in recordkeeping, informed consent, and treatment. The CE hours shall be in addition to the hours required for license renewal.

SECOND:

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Mr. Dynar, and Dr. Gill. The following Board member voted against the motion: Dr. Meier. The following Board member was absent: Ms. Laboy.

VOTE: 8-yay, 1-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

The Board recessed for lunch around 12:53 p.m. and Vice-Chairwoman Davis-Wilson departed from the meeting.

b) Complaint No. 20-50 Patti Rae Watson, Ed.D.

The Board considered this matter around 1:33 p.m. after returning from the lunch break.

Dr. Watson participated in the virtual meeting during the Board's consideration of this matter. Complainant TL was also in attendance of the virtual meeting. Dr. Mellott stated that she recognized Dr. Watson's name as she was a Northern Arizona University graduate, but that it would not affect her ability to adjudicate this case.

Dr. Meier summarized that Dr. Watson provided therapy to the client from 2014-2016. In 2018, the client requested Dr. Watson continue psychotherapy services, but no longer lived in Arizona. Dr. Watson informed the client that she was not licensed in California where he resided at the time and that she could not provide psychology services there. The client elected to proceed with life coaching services provided by Dr. Watson. While providing life coaching services to the client, he expressed to Dr. Watson concerns regarding his physical and mental health being negatively affected by ongoing demands by his adopted stepson, which led to Dr. Watson filing a report with Adult Protective Services (APS) in Idaho where the client was then residing and she made recommendations for the client to not have any contact with his stepson, TL. The Board subsequently received a complaint from TL, alleging that Dr. Watson was providing telehealth coaching services to the client when he resided in California and Idaho where she does not hold licensure, and a lack of documentation relating to informed consent for life coaching. The Complaint Screening Committee (CSC) reviewed this matter and identified concerns regarding potential violations of A.R.S. § 32-2061(16)(G), (H), and (O). Following the CSC meeting, Dr. Watson submitted an additional response explaining that she was not practicing psychotherapy or telepsychology when she began services in 2018 with this client. She indicated that instead, she was providing coaching and that she made this clear in her documentation that it was agreed to with the client.

Dr. Watson stated that she was contacted by the client in March of 2018 and that she explained to him that she could not provide psychotherapy services. She researched life coaching and called the client back, and he agreed to proceed with life coaching under her ministry license. Dr. Watson stated that it is her understanding that life coaching can be done across state lines, and that these services are not regulated by any state. Dr. Watson states she believed the APS report was appropriate and required, and that she did not violate any confidentiality as alleged by the complainant. Dr. Watson explained that she felt confident that her education and years of experience would be sufficient to provide support and guidance that the client sought out and agreed to. Dr. Watson stated that she was not required to gain additional training to provide coaching services, but that in hindsight, she could see how she could have better differentiated between her notes from psychotherapy and coaching to make it clearer. Dr. Watson added that she did not harm anyone, did not violate any rules or statutes, and has completed CE in telehealth services.

Dr. Meier acknowledged that the complaint in this case was not filed by the client, and that the client appeared to be satisfied with Dr. Watson's services. In response to Dr. Meier's questioning, Dr. Watson confirmed that she would have proceeded with psychotherapy services had the client remained in Arizona. Dr. Meier noted that in her note to APS dated January 30, 2019, Dr. Watson referred to herself as a licensed psychologist who was making a report of abuse, and signed the letter as a licensed psychologist. Dr. Meier noted that in a subsequent letter dated the following day, Dr. Watson indicated that she had been treating the client since 2014 and listed a specific diagnosis that was not previously mentioned in the client's records. Dr. Watson stated that she signed the letter as a psychologist and coach, and that she listed the diagnosis in the subsequent letter based on her experience of treating the client in psychotherapy.

Dr. Bohanske stated that he rejected the licensee's assertion that psychotherapy focuses on the past and stated that psychologists deal with clients in the present. He stated that what Dr. Watson was dealing with in this client was an appropriate topic for psychotherapy. Dr. Bohanske noted that Dr. Watson has no formal training in coaching, and does not hold licensure or certification from a multitude of coaching organizations and professional groups that are available. Dr. Gill stated his concerns regarding this client's presentation not being appropriate for life coaching. Dr. Watson stated that she was not sure how being a psychotherapist would have been better than a coach for an individual with a neurological condition. She stated that they were dealing with the client's grief and that his neurological condition never became an issue during coaching.

The Board noted that Dr. Watson has not provided coaching services to any other clients. Dr. Watson reported that she was contacted by a client that relocated to Oregon and that she had declined working with them due to this open complaint. Dr. Meier stated his concerns regarding the licensee's transition from psychotherapy to coaching to avoid jurisdictional issues with her license that prevented her from providing further psychotherapy services for this client. Dr. Meier recognized that Dr. Watson documented on March 5, 2018 that coaching services were initiated, and that many of her progress notes were labeled as coaching notes. However, Dr. Meier stated that Dr. Watson's behavior that led to this complaint, including the letter to APS where she held herself out as a licensed psychologist and listed a new diagnosis, making it clear that she was practicing psychotherapy. Chairwoman Shreeve pointed out that the Board does not regulate the practice of life coaching. Dr. Bohanske commented that when an individual is licensed by this Board, they are under this Board's jurisdiction. He stated that the Board has a responsibility to regulate its licensees. Dr. Meier stated that in the event that life coaching services are being provided by a licensed psychologist, the psychologist must make this clear in their documentation along with clear informed consent. He stated that what occurred in this case was unacceptable according to current Arizona statutes and rules.

Dr. Gill stated that he disagreed with Dr. Watson's claim that this case was appropriate for life coaching. He stated that this was not a good case for life coaching as the client had a number of presentations that were not addressed when these other factors may have made the client's grief much worse. Dr. Mellott

stated that she was less concerned about the APS reporting and the use of the licensee's title to emphasize her concerns and adds legitimacy to the report. Dr. Meier recognized that anyone can make a complaint, and stated that they should when concerns are raised. He stated that when giving a new diagnosis and holding oneself out as a licensed psychologist, then that individual is practicing as a licensed psychologist. Dr. Meier spoke in favor of issuing a non-disciplinary Letter of Concern and require the licensee to obtain further education in the areas of ethics, jurisdiction, telepsychology, and multiple relationships.

MOTION: Dr. Meier moved for the Board to issue a non-disciplinary Letter of Concern and Order for CE for practicing outside the jurisdiction and unethical decision making. Within 12 months, complete 20 hours of pre-approved CE in ethics, jurisdiction, telepsychology, and multiple relationships. The CE hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Mellott

Dr. Bohanske commented that this psychologist practiced life coaching in what was clearly an inappropriate life coaching case as noted by Dr. Gill, and clear attempts to avoid licensure in another state. Dr. Bohanske spoke against the motion and stated that more is warranted. He stated that the licensee clearly indicated that she would have continued psychotherapy services had the client remained in Arizona. Dr. Gill agreed with Dr. Bohanske's comments and spoke against the motion.

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Dr. Mellott, Dr. Caterino, and Dr. Meier. The following Board members voted against the motion: Dr. Bohanske, Dr. Davey, Mr. Dynar, and Dr. Gill. The following Board members were absent: Ms. Laboy and Vice-Chairwoman Davis-Wilson.

VOTE: 4-yay, 4-nay, 0-abstain, 0-recuse, 2-absent.

MOTION FAILED.

Dr. Bohanske spoke in favor of proceeding to informal interview with potential violations as cited by the CSC.

MOTION: Dr. Bohanske moved for the Board to proceed to informal hearing in this matter with potential violations of A.R.S. § 32-2601.16(G), (H), and (O).

SECOND: Dr. Gill

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Mr. Dynar, Dr. Gill, and Dr. Meier. The following Board members were absent: Ms. Laboy and Vice-Chairwoman Davis-Wilson.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

c) Complaint No. T-20-10 Sonia Steen

This item was introduced around 3:01 p.m.

Ms. Steen and Attorney Sara Stark participated in the virtual meeting during the Board's consideration of this matter.

Mr. Dynar summarized that the Board received a complaint alleging that Ms. Steen was misrepresenting herself as a counseling psychologist. In her response to the complaint, Ms. Steen indicated that she did not operate or offer services as a psychologist, and that she offers life coaching services only. After receiving notification of the complaint, Ms. Steen revised the language appearing on her social media account to clarify that she provided life coaching rather than counseling. The Complaint Screening Committee recommended forwarding this matter to the Board for consideration and action. Following the Committee's meeting, Ms. Steen submitted an additional response via counsel indicating that she does not intend to seek licensure from this Board and that while she holds a Ph.D., she does not utilize this degree in her current or any future business ventures. In her correspondence to the Board, Ms. Steen described multiple remedial measures she has taken to ensure that her marketing materials do not

unintentionally misled the public regarding her services. Ms. Steen also reported that she is in the process of obtaining life coaching certification and assured that any advertising or promotional materials in the future are free from any terminology or information that may be misleading to the public.

Ms. Stark stated that since the inception of this complaint and upon learning of the concerns and issues raised regarding her marketing materials, Ms. Steen completely overhauled all of her materials and has undertaken multiple remedial measures. She explained that social media accounts were deleted, the website was redesigned to remove any language that could be misconstrued as clinical diagnoses which may have unintended effects of offering psychology services. Ms. Stark reported that Ms. Steen has also rebranded herself in an abundance of caution to remove any references to “doc, doctor, or Ph.D.” Ms. Stark asked the Board to consider the actions of Ms. Steen demonstrating how serious she has taken this matter, and dismiss the complaint. She stated that Ms. Steen is fully aware of the services she is able to provide as a life coach versus a licensed psychologist.

Dr. Caterino stated that she visited Ms. Steen’s website and observed that there were references made to depression and anxiety. She questioned whether these words could be construed as psychology. AAG Galvin clarified that pursuant to statute, Ms. Steen cannot refer to herself as a psychologist or hold herself out as a psychologist. She stated that suggesting her services could address mental health conditions could lead the public to believe that she is qualified to address those issues. Dr. Caterino stated her concerns regarding the implications of including these words on her website as it could mislead the public to believe that the services offered by Ms. Steen may help with those psychological diagnoses. Dr. Bohanske recognized the extensive corrective measures implemented by Ms. Steen, and stated that the language used on her website included common terminology without being actual diagnoses. Dr. Bohanske spoke in favor of dismissing the complaint.

MOTION: Dr. Bohanske moved for dismissal.

SECOND: Mr. Dynar

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Dr. Mellott, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, and Dr. Meier. The following Board member abstained: Dr. Caterino. The following Board members were absent: Ms. Laboy and Vice-Chairwoman Davis-Wilson.

VOTE: 7-yay, 0-nay, 1-abstain, 0-recuse, 2-absent.

MOTION PASSED.

THE FOLLOWING AGENDA ITEMS ARE UNTIMED AND MAY BE DISCUSSED AND DECIDED UPON AT VARIOUS TIMES THROUGHOUT THE MEETING AT THE DISCRETION OF THE CHAIR

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO MOTION TO ASSOCIATE COUNSEL FOR ADMISSION *PRO HAC VICE* SUBMITTED BY MS. SARA STARK ON BEHALF OF MR. J.W. CARVER IN THE MATTER CONCERNING MICHAEL EPSTEIN

This item was introduced around 8:42 a.m.

Deputy Director Michaelson summarized that in October 2019, the Board initiated complaint number 20-10 after receiving a report from the National Practitioner Data Bank (NPDB) indicating that Dr. Epstein’s clinical privileges were revoked based on sexual misconduct with a client. The Board noted that the allegations contained in the NPDB report related to a Board complaint that was dismissed in 2018. Deputy Director Michaelson stated that Mr. Carver is licensed in California and represented Dr. Epstein with regard to the investigation by the United States Navy Medical Center in California as well as the prior Board complaint. For these reasons, Dr. Epstein has requested approval for Mr. Carver to represent him for the current complaint. The Board noted that Ms. Stark has agreed to sponsor Mr. Carver. Deputy Director Michaelson reported that Ms. Stark informed Board staff on September 11, 2020 that the *pro hac vice* application with the Arizona State Bar was complete. Deputy Director Michaelson stated that a motion and order was submitted in this matter for the Board’s consideration to allow Mr. Carver to practice in Arizona for this complaint.

MOTION: Dr. Bohanske moved for the Board to approve the motion to association counsel for admission *pro hac vice* submitted by Ms. Stark on behalf of Mr. Carver in the matter concerning Dr. Epstein.

SECOND: Dr. Caterino

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Dr. Gill, and Dr. Meier. The following Board member was absent: Mr. Dynar and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPLICATION FOR BEHAVIOR ANALYST TEMPORARY LICENSE APPLICATION OF PAIGE HUFF, SUBJECT OF COMPLAINT 20-52

This item was introduced around 8:38 a.m.

Executive Director Herbst Paakkonen summarized that earlier this year, the Board voted to activate a temporary license application process through A.R.S. § 32-3124 as one of its many strategic adjustments to positively affect the delivery of care in light of the current pandemic. Executive Director Herbst Paakkonen explained that Ms. Huff filed a Behavior Analyst temporary license application and that the application has not been processed as Ms. Huff is currently subject of an open investigation. This matter was considered by the Board's Committee on Behavior Analysts (CBA) who recommended tabling the application pending the outcome of the Board case number 20-25. Dr. Davey recalled that the CBA was not comfortable with proceeding until conclusion of the open investigation.

MOTION: Dr. Bohanske moved for the Board to accept the Committee on Behavior Analysts recommendation to table the application pending the outcome of complaint number 20-52.

SECOND: Dr. Davey

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Dr. Gill, and Dr. Meier. The following Board member was absent: Mr. Dynar and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

12. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON DIRECTIONS TO RENEWING LICENSEES CONCERNING REPORTING TEMPORARY LICENSES ON APPLICATION

This item was considered around 3:25 p.m.

Executive Director Herbst Paakkonen summarized that this item was agendaized for the Board's discussion to provide staff with guidance and possible modification to the questions posed on the renewal application relative to licensure in other jurisdictions. Dr. Meier questioned whether the temporary licenses should be reported versus only reporting permanent licenses when applying for renewal of licensure. Ms. Poe clarified that the current renewal application question asks if the applicant is currently licensed or certified in another regulatory jurisdiction and if so, to list the jurisdiction and license number. She stated that the Behavior Analyst renewal application contained similar language. Dr. Mellott spoke in favor of the current language contained in the renewal applications.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO RECOMMENDATIONS OF THE LEGISLATIVE COMMITTEE

This item was tabled to the Board's next meeting.

- a. Reintroduce proposed revisions of HB2224 psychology board; licensure; fingerprinting filed in 2020
- b. Clarify A.R.S. §32-2081 Grounds for disciplinary action; duty to report; immunity; proceedings; board

action; notice requirements; civil penalty at (1) and A.R.S. § 32-2091.09 Grounds for disciplinary action; duty to report; immunity; proceedings; board action; notice requirements; civil penalty at (E) allow for summary suspension consideration by the Board without requiring prior committee review

- c. Appointment of a work group to research and make recommendations concerning licensure exemption of school psychologists pursuant to A.R.S. §32-2075(A)
- d. Consider the efforts of the Arizona Psychological Association (AzPA) to expand the scope of practice to achieve prescriptive authority for qualifying psychologists
- e. Consider the efforts of the Psychological Clinical Science Accreditation System (PCSAS) to achieve recognition as an accreditation entity for doctoral psychology education programs (A.R.S. § 32-2071.01(C))
- f. Update on the topic of regulation of Independent Medical Examinations as performed by psychologists
- g. Revisit topic of individuals who have completed post-doctoral training requirements, continue to work as psychology associates, but remain unlicensed
- h. Recommend to the Board Chair combining the Legislative and Rules Committees

14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING STRATEGIES TO PROMOTE JURISPRUDENCE COMPREHENSION BY LICENSEES

This item was tabled to the Board's next meeting.

15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING LICENSURE AND REGULATORY ISSUES RELATIVE TO COVID-19

This item was tabled to the Board's next meeting.

16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR TESTING ACCOMMODATIONS FOR THE EPPP FROM JENNA RUDO-STERN, PH.D.

This item was considered around 3:15 p.m.

Dr. Meier was recused from this matter.

Ms. Fowkes summarized that Dr. Rudo-Stern was approved previously for EPPP, but had amended her request to include test accommodations for lactation purposes.

MOTION: Dr. Bohanske moved for the Board to approve the request for testing accommodations for the EPPP from Dr. Rudo-Stern.

SECOND: Dr. Caterino

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Mr. Dynar, and Dr. Gill. The following Board member was recused: Dr. Meier. The following Board members were absent: Vice-Chairwoman Davis-Wilson and Ms. Laboy.

VOTE: 7-yay, 0-nay, 0-abstain, 1-recuse, 2-absent.

MOTION PASSED.

17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR EXAM AND LICENSURE BY SUSANA RIGAU, PSY.D.

This item was considered around 3:16 p.m.

Ms. Fowkes summarized that on September 28th, the Application Review Committee (ARC) reviewed this application for exam and licensure, and noted references that were not on file and that the applicant's degree

had not yet been confirmed. Ms. Fowkes reported that some errors were noted in the file that were due to the staff, and that the file was corrected, and the application was finalized once the degree was confirmed.

Dr. Caterino noted a discrepancy in the number of internship hours reported by the applicant versus what was reported by the psychologist. Dr. Mellott explained that the applicant completed the application in advance with hours reported at that time, and that the applicant completed additional hours after the application had been initially filed with the Board, resulting in the report of additional hours upon verification by staff.

MOTION: Dr. Mellott moved for the Board to approve the psychologist application for exam and licensure by Dr. Rigau.

SECOND: Dr. Bohanske

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Mr. Dynar, Dr. Gill, and Dr. Meier. The following Board members were absent: Vice-Chairwoman Davis-Wilson and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR TEMPORARY LICENSE & EPPP FROM HEATHER DEGROTE, PSY.D.

This item was considered around 3:21 p.m.

Dr. Gill summarized that Dr. Degrote has applied for temporary licensure and to take the EPPP. He stated that the issue with the databank report has been resolved and spoke in favor of approving the application.

MOTION: Dr. Gill moved for the Board to approve the psychologist application for temporary license and EPPP from Dr. Degrote.

SECOND: Dr. Mellott

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Mr. Dynar, Dr. Gill, and Dr. Meier. The following Board members were absent: Vice-Chairwoman Davis-Wilson and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

19. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR LICENSURE BY UNIVERSAL RECOGNITION FROM STEPHANIE NICOLAI, PSY.D.

This item was introduced around 3:22 p.m.

Dr. Gill summarized that Dr. Nicolai applied for Arizona licensure via universal recognition pathway, and currently holds an active license in California. Dr. Nicolai has submitted proof of residence in Arizona. Dr. Gill reported that the databank issue has been resolved and that all records have been received.

MOTION: Dr. Gill moved for the Board to approve the psychologist application for licensure by universal recognition from Dr. Nicolai.

SECOND: Dr. Mellott

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Mr. Dynar, Dr. Gill, and Dr. Meier. The following Board members were absent: Vice-Chairwoman Davis-Wilson and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

20. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING

PSYCHOLOGISTS RE-APPLICATION FOR EXAM AND LICENSURE FROM BRYNNA FARBOD, PSY.D.

This item was introduced around 3:23 p.m.

Ms. Fowkes summarized that Dr. Farbod was previously approved for EPPP and licensure, but that she did not meet certain requirements after taking the exam. She stated that Dr. Farbod has re-applied for exam and licensure.

MOTION: Dr. Mellott moved for the Board to approve the application for exam and licensure.

SECOND: Dr. Meier

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Mr. Dynar, Dr. Gill, and Dr. Meier. The following Board members were absent: Vice-Chairwoman Davis-Wilson and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

21. NEW AGENDA ITEMS FOR FUTURE MEETINGS

This item was considered around 3:28 p.m.

The Board discussed agenda items relating to procedural process on initial reviews, including consistent time limits for presenters; consistency in decision making and/or looking at how the Board reviews different cases; and, life coaching versus the practice of psychology.

Dr. Caterino stated that a student had inquired as to whether they could complete domestic violence CEs in the areas of trauma or childhood experiences in lieu of bullying. Board staff pointed out that rule changes went into effect in July that changed the requirement of R4-26-207 to remove that specificity to obtain units in that area.

22. ADJOURNMENT

MOTION: Dr. Meier moved for adjournment.

SECOND: Dr. Mellott

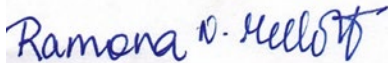
VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Dr. Mellott, Dr. Bohanske, Dr. Caterino, Dr. Davey, Mr. Dynar, Dr. Gill, and Dr. Meier. The following Board members were absent: Vice-Chairwoman Davis-Wilson and Ms. Laboy.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

The Board's meeting adjourned at 3:34 p.m.

Respectfully submitted,



Ramona Mellott, Ph.D.
Secretary