



Arizona Board of Psychologist Examiners

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Douglas A. Ducey

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Joseph Donaldson
Ramona N. Mellott, Ph.D.
Frederick S. Wechsler, Ph.D., Psy.D.

Executive Director
Jenna Jones

REGULAR SESSION MINUTES

October 6, 2017
8:30 a.m.
Capitol Center
15 S. 15th Ave.
Basement Conference Room
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Bohanske at 8:30 a.m. on October 6, 2017.

2. ROLL CALL

Board Members Present

Bob Bohanske, Ph.D., – Chair
Lynn Flowers, Ph.D. – Vice Chair
Janice K. Brundage, Ph.D. – Secretary
Joseph C. Donaldson
Ramona N. Mellott, Ph.D.
Tamara Shreeve, MPA
Frederick S. Wechsler, Ph.D., Psy.D., ABPP (CL)

Board Staff

Dr. Cindy Olvey, Executive Director
Heather Broaddus, Deputy Director
Krishna Poe, Interim Licensing Coordinator

Attorney General's Office

Jeanne Galvin, Esq.

3. REMARKS/ANNOUNCEMENTS

CE Documentation – Dr. Bohanske announced that licensees could receive CE credits in Ethics for attendance at Board meetings and explained how to obtain credit.

Board Assessment Forms – Dr. Bohanske encouraged members of the audience to complete a Board meeting Assessment Survey and place them in the survey box.

Board Member and Staff Appreciation – Dr. Bohanske thanked Board members and staff for their dedication and hard work.

4. CALL TO THE PUBLIC

There were no requests to speak.

5. COUNSEL REPORT

A claim was filed with the Board pertaining to John DenBoer, Ph.D. The claim moved forward to a complaint. Dr. DenBoer's attorney, Larry Cohen, filed a Complaint for Declaratory Judgment; Injunctive Relief with the Maricopa County Superior Court to obtain a ruling on the question of the Board's jurisdiction. Board action on RFI 16-22 is stayed pending complete and final court action in the court case. Ms. Galvin stated that dispositive motions were filed and responses will be filed. Mr. Cohen has asked for a conference with the Judge before the responses are filed.

The Board voted to deny the application of Monika Kos, Ph.D. Dr. Kos has appealed the denial and a Formal Hearing has been set for two days in November. Ms. Galvin will keep the Board apprised of this matter.

The Board summarily suspended the license of Christine Dargon, Ph.D. and the matter went to Formal Hearing on June 26-28, 2017. The Administrative Law Judge has submitted a recommendation to the Board and the Board will hear the recommendation at its November meeting.

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

Dr. Mellott made a motion, seconded by Dr. Wechsler to approve the items on the Consent Agenda. Dr. Brundage recused from voting on Eileen Hancock, Psy.D. application. The motion carried 7-0.

(a) DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS

i. REQUESTING APPROVAL TO SIT FOR THE EPPP AND LICENSURE

- Devin Lincenberg, Psy.D.
- Heather Koutsogiannis, Psy.D.
- Imecca Akpa, Psy.D.
- Mary Barnes-Palty, Psy.D.
- Robyn Galbraith, Psy.D.
- Tara Blumeyer, Psy.D.

ii. REQUESTING APPROVAL OF LICENSURE BY WAIVER

- Dev Ashish, Ph.D.
Evan Espinosa, Psy.D.
- Hiroko Tanaka, Ph.D.
- Kendal Kershner, Psy.D.
- Steve Bennett, Psy.D.

iii. REQUESTING APPROVAL FOR LICENSURE BY CREDENTIAL

- Carl Isenhardt, Psy.D.

iv. REQUESTING APPROVAL OF SUPERVISED PROFESSIONAL EXPERIENCE HOURS AND LICENSURE

- Eileen Hancock, Psy.D.

(b) DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION TO THE BOARD PERTAINING TO APPROVAL OF TEMPORARY LICENSE APPLICANTS AND APPROVAL OF POSTDOCTORAL WRITTEN TRAINING PLAN AND APPROVAL TO SIT FOR THE EPPP

- Anna Barbonne-Bjorndal, Psy.D.
- Nicole Mirkin, Psy.D.
- Stephanie Hatch, Psy.D.

(c) DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- Anne Bonomo, M.Ed.
- Christopher Margaritis, M.Ed.
- Daniel Bullara, Ph.D.
- Yvette Margaillan, M.Ed.

(d) EXECUTIVE DIRECTOR'S REPORT

(e) INVESTIGATIONS REPORT

(f) LICENSING REPORT

(g) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR REACTIVATION OF INACTIVE LICENSE SUBMITTED BY KELLIE KOTWICKI, M.S.

7. DISCUSSION, CONSIDERTATION, AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE AS A PSYCHOLOGIST SUBMITTED BY BROOKE DEBOY, PSY.D.

Dr. Bohanske recused from reviewing Dr. DeBoy's application and exited the meeting room. Dr. Wechsler provided a summary stating that at the Application Review Committee Dr. Bohanske recused from reviewing Dr. DeBoy's application. Due to lack of a quorum, her application was forwarded to the Board for review. The Board proceeded with a substantive review of her application. After deliberation, the Board determined that the materials submitted meet the requirements of statute and rule. Dr. Flowers made a motion, seconded by Dr. Mellott to approve Dr. DeBoy's application. The motion carried 6-0-1 with Dr. Bohanske recused.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE AS A PSYCHOLOGIST SUBMITTED BY LESLIE MONTIJO, PSY.D.

Dr. Bohanske recused from reviewing Dr. Montijo's application and exited the meeting room. Dr. Wechsler provided a summary stating that at the Application Review Committee Dr. Bohanske recused from reviewing Dr. Montijo's application. Due to lack of a quorum, her application was forwarded to the Board for review. The Board proceeded with a substantive review of her application. After deliberation, the Board determined that the materials submitted meet the requirements of statute and rule. Dr. Wechsler made a motion, seconded by Dr. Brundage, to approve Dr. Montijo's application. The motion carried 6-0-1 with Dr. Bohankse recused.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR TEMPORARY LICENSURE AS A PSYCHOLOGIST AND APPROVAL OF HER POSTDOCTORAL WIRTEN TRAINING PLAN SUBMITTED BY LAUREL REED, PSY.D.

Dr. Wechsler recused from reviewing Dr. Reed's application and exited the meeting room. Dr. Bohanske provided a summary stating that at the Application Review Committee Dr. Wechsler recused from reviewing Dr. Reed's application. Due to lack of a quorum, her application was forwarded to the Board for review. The Board proceeded with a substantive review of her application. After deliberation, the Board determined that the materials submitted meet the requirements of statute and rule. Dr. Mellott made a motion, seconded by Dr. Brundage, to approve Dr. Reed's application. The motion carried 6-0-1 with Dr. Wechsler recused.

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE AS A PSYCHOLOGIST SUBMITTED BY RHONDA SMITH, PH.D.

Dr. Wechsler provided a summary stating that the Application Review Committee forwarded Dr. Smith's application to the Board for review of her internship syllabus. Upon review of her written training plan for her internship at Sunnyside Unified School District, the Board noted that the written training plan is titled "Internship in School Psychology (693B) – Syllabus for PhD Students". The Board noted that a syllabus does not constitute a written

training plan. Additionally, the Board noted that on page 2 of the syllabus it is indicated that specific forms must be submitted for the internship. The forms included are as follows:

- Eligibility Criteria for Internship
- Academic Advisor's Permission Form for Internship
- Internship Placement Form
- Internship Plan

The Board is requesting that the above noted documentation be submitted in order to determine whether her internship meets the requirement of A.R.S. §32-2071(F) and Arizona Administrative Code R4-26-210(B).

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE AS A PSYCHOLOGIST SUBMITTED BY SARAH JUTRZONKA, PH.D.

Dr. Wechsler provided a summary stating that the Application Review Committee reviewed Dr. Jutrzonka's application for licensure and requested additional information pertaining to her postdoctoral experience. Dr. Jutrzonka responded stating that she no longer wishes to obtain licensure in Arizona and is requesting to sit for the EPPP only. Dr. Wechsler stated that due to her request, her application was forwarded to the Board for review. After deliberation, the Board determined that Dr. Jutrzonka's application meets the requirement to sit for the EPPP only. Dr. Melllott made a motion, seconded by Ms. Shreeve, to approve Dr. Jutrzonka to sit for the EPPP only. The motion carried 6-0-1 with Dr. Wechsler abstained.

12. INFORMAL INTERVIEW – TROY MELENDEZ, PH.D. RFI T-16-32 DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO ALLEGATIONS AND POSSIBLE SEEKING OF INJUNCTION

Mr. Melendez was present. Board members and staff introduced themselves. Dr. Bohanske explained Informal Interview procedures and provided a summary of the allegations. Dr. Bohanske swore in Mr. Melendez.

Ms. Shreeve provided a summary of the allegations to the Board. Ms. Shreeve stated that it is alleged that Mr. Melendez is practicing psychology and is holding himself out as a psychologist without being licensed. The Complaint Screening Committee (Committee) reviewed the complaint and determined that Mr. Melendez made some changes to his website but the Committee expressed concern that Mr. Melendez's website still displayed misleading information. The Committee forwarded the complaint to the Board for review.

Board members asked Mr. Melendez if he will put a disclaimer on his website that he is not licensed as a psychologist. Mr. Melendez indicated that he no longer has a website. Board members expressed concern with Mr. Melendez's biography. Mr. Melendez stated that he will have his biography removed from the internet. Board members determined that Mr. Melendez is complying with the Board's request. After deliberation, Dr. Wechsler made a motion, seconded by Dr. Brundage, to notify Mr. Melendez that if he complies with the Board's request, the Board will take no action in this matter. The motion carried 7-0.

13. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATIONS FOR LICENSURE AND POSSIBLE DENIAL OF THE SAME

- a. Debra Goldfine, Ph.D.

Dr. Wechsler provided a summary stating that the Application Review Committee (Committee) reviewed Dr. Goldfine's application and requested additional information regarding her work experience, references, supervised work experience and criminal history. The Committee reviewed the supplemental information and forwarded Dr. Goldfine's application to the Board. The Board reviewed Dr. Goldfine's application and entered into an Interim Consent Agreement and Order for Fitness for Duty evaluations. Board members determined that Dr. Goldfine complied with the Interim Consent Agreement and Order. The Board expressed concern with

Dr. Goldfine practicing psychology and discussed offering a Consent and Agreement and Order for Probation, Supervision, Continuing Education and Rehabilitation upon licensure.

At 10:12 a.m. Dr. Brundage made a motion, seconded by Ms. Shreeve, to go into executive session to obtain confidential legal advice from the Board 's legal counsel. The motion carried 7-0. Open session reconvened at 10:28 a.m.

After deliberation, Dr. Wechsler made a motion, seconded by Dr. Mellott, to grant Dr. Goldfine licensure through a Consent Agreement and Order. The Consent Agreement and Order will stipulate probation for two years with the option for Dr. Goldfine to petition the Board after one year for release of probation, two hours of supervision for every twenty hours worked for the first six months, then one hour of supervision for every twenty hours worked for the remainder of probation, the supervisor must be licensed, upon the recommendation of the supervisor the supervision may be decreased, a three-hour graduate ethics course in psychology and random drug screening for three months. The motion carried 7-0 on a roll call vote.

b. Jay Seitz, Ph.D.

Dr. Mellott provided a summary stating that the Application Review Committee (Committee) reviewed Dr. Seitz's application and noted an extensive criminal history. The Committee voted to forward Dr. Seitz's application to the Board for further review. Dr. Seitz was present, made a statement and answered Board members questions. Board members noted that Dr. Seitz voluntarily surrendered his psychology license in New York. Board members asked about Dr. Seitz's practice in New York. Dr. Seitz stated that he has a PLLC but the company is not open for business. Board members noted that Dr. Seitz was previously licensed in Arizona. The Board discussed Dr. Seitz's non-disclosure of his criminal history on his 2013-2015 application for license renewal.

At 11:46 a.m., Dr. Mellott made a motion, seconded by Ms. Shreeve, to go into executive session to obtain confidential legal advice from the Board's legal counsel. Open session reconvened at 12:15 a.m.

Board members expressed concern with Dr. Seitz's website submission to the Board. Board members expressed concern that Dr. Seitz's references are unaware of his criminal history. Board members determined that violations included A.R.S. §32-3208 for failing to report his indictment; A.R.S. §32-2061(16)(i) for commission of a felony, whether or not involving moral turpitude, or a misdemeanor involving moral turpitude. In either case, conviction by a court of competent jurisdiction or a plea of no contest is conclusive evidence of the commission; A.R.S. §32-2061(16)(j) for making a fraudulent or untrue statement to the board or its investigators, staff or consultants; and A.R.S. §32-2061(16)(m) for using fraud, misrepresentation or deception to obtain or attempt to obtain a psychology license or to pass or attempt to pass a psychology licensing examination or in assisting another person to do so. Dr. Bohanske made a motion, seconded by Mr. Donaldson, to deny the application of Jay Setiz, Ph.D. due to violations of the above noted statutes. The motion carried 7-0 on a roll call vote.

14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO DISCUSSION OF ACCEPTING TRANSFER CREDITS FRO APPLICANTS WHO GRADUATE FROM AN ACCEPTABLE DOCTORAL PROGRAM IN PSYCHOLOGY AND TRANSFER CREDITS FROM ANOTHER PROGRAM THAT IS NOT PART OF A PYSCHOLOGY CURRICULUM

Dr. Bohanske provided a summary to the Board stating that the Board's Application Review Committee reviewed an application and it was noted that there were master level counseling courses transferred into the applicant's doctoral program. The courses were recoded as a psychology course. Board members deliberated and determined that University's follow appropriate guidelines when determining which courses are acceptable to transfer into a doctoral program.

15. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATIONS FOR LICENSURE AND POSSIBLE DENIAL OF THE SAME (continued)

- a. Sarah Opuroku, Psy.D.

Dr. Bohanske provided a summary stating that the Application Review Committee (Committee) reviewed Dr. Opuroku's reapplication and voted to forward her application to the Board. The Board proceeded with a substantive review of her reapplication. After deliberation, the Board determined that the materials submitted meet the requirements of statute and rule. Dr. Bohanske made a motion, seconded by Ms. Shreeve, to approve Dr. Opuroku's reapplication. The motion carried 7-0.

16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING DRAFT FIVE YEAR REVIEW REPORT AS REQUIRED UNDER A.R.A. 41-1056(A), (H) AND A.A.C. R1-6-301; R1-6-302 PERTAINING TO RULES FOR BEHAVIOR ANALYSTS AFFECTING A.A.C. R4-26-402, R4-26-411; R4-26-412, R4-26-415, R4-26-416, AND R4-26-418

Dr. Mellott provided a summary stating that the five-year rule report has been drafted and is before the Board for review. Dr. Mellott indicated that report is accurate and requested that the Board approve the report. Dr. Olvey clarified that this is an administrative function required in statute to justify that rules are still needed. After deliberation, Dr. Bohankse made a motion, seconded by Dr. Mellott to approve the draft report. The motion carried 7-0.

17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO POSSIBLE REVISIONS TO THE CURRENT PSYCHOLOGIST APPLICATION FOR LICENSURE

Dr. Mellott provided a summary stating that she has made a few revisions to the current psychologist application. Dr. Mellott reviewed the changes. After deliberation, it was the consensus of the Board to make the suggested changes to the application.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING ELECTION OF OFFICERS

Dr. Mellott made a motion, seconded by Dr. Wechsler, to elect Dr. Brundage for the 2018 Board Chair. Dr. Brundage accepted and was elected by acclamation. Ms. Shreeve was elected for the 2018 Board Vice-Chair by a majority vote of 4-3. Dr. Flowers was elected for the 2018 Board Secretary by a majority vote of 5-2.

Dr. Mellott left the meeting at 1:00 p.m. and rejoined at 1:10 p.m.

19. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING A REQUEST FOR A CONTINUANCE OF CASE NO. 16-37 PERTAINING TO DR. NELSON DEJESUS SUBMITTED BY CHARLES S. HOVER, III

Ms. Broaddus provided a summary stating that the Board office received a request for a continuance of time to review the proposed Consent Agreement. After deliberation, Dr. Wechsler made a motion, seconded by Mr. Donaldson to deny the continuance request. The motion carried 7-0.

20. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO CASE NO. 16-37 INVOLVING DR. NELSON DE JESUS, PH.D., AND THE PROPOSED OFFER OF SETTLEMENT

Ms. Broaddus provided a summary stating that the Board office received a proposed settlement offer in Case No. 16-37. The proposed settlement offer includes restricting Dr. de Jesus' practice and to allow his license to expire in June 2018. Dr. Wechsler made a motion, seconded by Dr. Bohanske, to deny the settlement offer and move this case to a Formal Hearing for revocation of Dr. de Jesus's license. Dr. Wechsler withdrew his motion and Dr. Bohanske

withdrew his second. The Board discussed offering a revised settlement offer. After deliberation, Ms. Shreeve made a motion, seconded by Dr. Brundage, to revise the proposed settlement offer to stipulate that Dr. de Jesus will discontinue his private practice and will not provide any clinical services in any setting. Dr. de Jesus will not provide clinical supervision of psychologists or trainees. Dr. de Jesus will not renew his license in June 2018. The motion carried 7-0 on a roll call vote.

21. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO UPDATE PERTAINING TO IMPLEMENTATION OF THE ASPPB PLUS UNIVERSAL APPLICATION FORM FOR PSYCHOLOGIST LICENSURE

Dr. Olvey summarized stating that Board staff has been working with ASPPB for the implementation of the universal application. The draft application is before the Board for review. It was the consensus of the Board to move forward with the implementation of the universal application.

22. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO POSSIBLE FUTURE REVISIONS TO RULES PERTAINING TO PSYCHOLOGIST APPLICATION FOR LICENSURE AND LICENSE RENEWAL

Dr. Olvey provided a summary stating that Board rule is prescriptive in the questions that are required on the initial license and renewal applications. It is recommended that the questions be deleted from the rule. After deliberation, Dr. Bohanske made a motion, seconded by Ms. Shreeve, to revise Board rule based on Dr. Olvey's recommendation. The motion carried 7-0.

23. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO A REQUEST FOR COMMENT ON DRAFT SUPERVISION GUIDELINES ISSUED BY THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS (ASPPB)

Dr. Mellott provided a summary stating that ASPPB is defining supervision. ASPPB is asking for comments and comments are open to all psychologists.

24. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO UPDATE ON BOARD POSITIONS AND APPOINTMENTS

Dr. Olvey provided a summary stating that a term is assigned to a position not to an individual. Mr. Donaldson and Dr. Mellott's terms expired in 2016 but both members have continued to serve on the Board. Effective November 1, 2017, the Board's composition changes from 9 members to 10 members with two of the positions being behavior analysts. Additionally, effective November 1, 2017, it is required that a Committee on Behavior Analysts (Committee) be appointed. The Committee will consist of five licensed behavior analysts appointed by the Governor. Two of the five members on the Committee will serve as Board members. The Board directed Board staff to draft a letter for Dr. Bohanske's signature to the Governor's office. The letter will express the Board's concern with the lack of Board appointments.

25. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO A PROPOSED OFFER OF SETTLEMENT IN CV2016-012091, GRAY V. THE ARIZONA BOARD OF PSYCHOLOGIST EXAMINERS, INCLUDING BUT NOT LIMITED TO POSSIBLE DISMISSAL OF RFI 16-15

The Board went into executive session. Open session reconvened at 2:35 p.m. Ms. Shreeve made a motion, seconded by Dr. Wechsler, to move forward with what was discussed in Executive Session. The motion carried 7-0.

26. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO POSSIBLE FUTURE REVISIONS TO RULES PERTAINING TO PSYCHOLOGIST APPLICATIONS FOR LICENSURE AND LICENSE RENEWAL (continued)

Dr. Wechsler made a motion, seconded by Dr. Flowers, to give Dr. Olvey the authority to move forward with rule revisions. The motion carried 7-0.

27. NEW AGENDA ITEMS FOR FUTURE MEEETINGS

There were no new items for future meetings.

28. ADJOURN

There being no further business to come before the Board, Dr. Wechsler made a motion, seconded by Ms. Shreeve, to adjourn the meeting at 2:44 p.m. The motion carried 7-0.

Respectfully submitted,

Lynn L. Flowers, Ph.D.
Secretary