



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 June 3, 2022

Board Members

Diana Davis-Wilson, DBH, BCBA – Chair
Bryan Davey, Ph.D., BCBA-D – Vice-Chair
Linda Caterino, Ph.D., ABPP – Secretary
Aditya Dynar, Esq.
Mathew A. Meier, Psy.D.
Ramona N. Mellott, Ph.D.
Tamara Shreeve, MPA
Joseph Stewart, Ed.D.
Todd Wynn, M.A.

1. CALL TO ORDER

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

2. ROLL CALL

The following Board members participated in the virtual meeting: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart. The following Board members were not present: Vice-Chair Davey and Mr. Wynn.

ALSO PRESENT

The following Board staff participated in the virtual meeting: Jennifer Michaelsen, Deputy Director; Jeanne Galvin, Assistant Attorney General (AAG); Kathy Fowkes, Licensing Specialist, Zakiya Mallas, Licensing Specialist, and Krishna Poe, Projects Specialist. The following Board staff was not present: Heidi Herbst Paakkonen, Executive Director.

3. REMARKS/ANNOUNCEMENTS

- **Board Survey**

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

- **Board Member and Staff Appreciation**

Chairwoman Davis-Wilson acknowledged and thanked Board members and staff for their hard work and efforts in facilitating the Board's meetings.

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

Chairwoman Davis-Wilson announced that meeting attendees were eligible for continuing education credit if the meeting exceeded four hours.

4. CALL TO THE PUBLIC

Michael Medrano, Ph.D., requested to speak and indicated that he is currently studying for the EPPP Part 2. He requested that the Board provide guidance on study materials for the EPPP Part 2. Ms. Galvin explained that the Board cannot discuss this matter as it is not agendaized but could be added to future agenda. Chairwoman Davis–Wilson instructed Dr. Medrano to contact Board staff and pose this question.

5. COUNSEL UPDATE

Ms. Galvin indicated she does not have an update for the Board at this time.

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

Chairwoman Davis–Wilson recused from reviewing Amanda Veronica Vale, M.S., Behavior Analyst application.

MOTION: Ms. Shreeve moved for the Board to approve the items listed under the Consent Agenda.
SECOND: Mr. Dynar.

VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve, and Dr. Stewart.

VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

A. APPROVAL OF MINUTES

- May 6, 2022 Regular Session Minutes
- May 6, 2022 Executive Session Minutes
- May 16, 2022 Regular Session Minutes
- May 16, 2022 Executive Session Minutes

B. EXECUTIVE DIRECTOR’S REPORT

C. DISCUSSION/DECISION REGARDING PSYCHOLOGIST APPLICATIONS

Requesting Approval to Sit for EPPP & Licensure

- 1) Monica Gibson, Psy.D.
- 2) Quentin Brown, Ph.D.
- 3) Tim Scott Hotchkiss, Psy.D.
- 4) Brian Gaviria-Jimenez, Psy.D.
- 5) Jennifer Kraska, Psy.D.
- 6) Veronica Poore, Psy.D.

EPPP Required – Part 1 or Parts 1 & 2

- Part 1 & Part 2
Part 1 & Part 2
Part 1 & Part 2
Part 1 & Part 2
Part 1 & Part 2
Part 2 (Passed Part 1)

Requesting Approval for Licensure by Waiver

- 1) Kalie Lantrip, Ph.D.

Licensed in another state

Requesting Approval for Licensure by Credential (ABPP, CPQ or National Register)

- 1) Nicole de la Luz, Ph.D. n/a

Requesting Approval for Licensure by Universal Recognition

- 1) Angela C. Fisher, Psy.D. n/a

D. DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- 1) Gabrielle Thomas, M.A.B.A.
- 2) Amy Burson, M.Ed.
- 3) Michael Lentz, M.S. (*Universal Recognition*)
- 4) Justine Sudlow, M.Ed.
- 5) Jamie Garcia, M.S.
- 6) Amanda Veronica Vale, M.S.
- 7) Kelli Dewett, M.S. (*Universal Recognition*)
- 8) Kaylee McClaine, M.S.
- 9) Natasha Patel, M.Ed.
- 10) Fallon Flores Barrios, M.Ed.
- 11) Nora Tuioti-Mariner, M.S.
- 12) Veronica Rzepniewski, M.S.

E. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR RETAKE OF EPPP FROM LEAH JEANN PHILLIPS, PSY.D., TEMPORARY LICENSE NUMBER PSY-T-000046

TIMED ITEM – 8:45 a.m.

7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PROPOSED CONSENT AGREEMENT AND ORDER PERTAINING TO COMPLAINT NO. 22-20 FOR JEANETTE HIGGINS, PSY.D., AND POSSIBLE MOTION TO VACATE THE INFORMAL INTERVIEW

Ms. Michaelsen provided a summary stating that the Board conducted an initial review of this case at its meeting on May 6, 2022, pertaining to Dr. Higgins' psychological evaluation of a child. The Board voted to forward Complaint No. 22-20 to an Informal Interview and simultaneously directed Board staff to work with Dr. Higgins on negotiating a Consent Agreement. Ms. Michaelsen outlined the terms of a Consent Agreement that the Board cited it was willing to consider, which includes, but is not limited to, continuing education, probation for twelve months, and practice monitoring for two hours bi-monthly. Ms. Michaelsen indicated that Dr. Higgins has signed the proposed Consent Agreement.

The Complainant was not present. Dr. Higgins and her attorney were not present.

MOTION: Ms. Shreeve moved to vacate the Informal Interview and to accept the Consent Agreement.
SECOND: Dr. Meier.

ROLL CALL VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart.

ROLLCALL VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO THE COMPLAINT SCREENING COMMITTEE'S RECOMMENDATION TO ISSUE A NON-DISCIPLINARY LETTER OF CONCERN TO BRYL CRAGO, PH.D., FOR COMPLAINT NO. 22-23 AND/OR INITIAL CASE REVIEW AND HIS PENDING RENEWAL APPLICATION

Dr. Mellott provided a summary stating the Board's Complaint Screening Committee (CSC) reviewed Complaint No. 22-23 regarding Dr. Crago's supervision of a master's level social worker (LMSW). Dr. Crago allowed the LMSW to practice independently under his supervision at his private practice during a period of time when the LMSW was not licensed. Additionally, the LMSW was billing for services under

his license during the period of time that she provided therapy services while unlicensed. The LMSW applied for licensure with the Arizona Board of Behavioral Health Examiners (BBHE) wherein BBHE determined that a psychologist cannot supervise a LMSW. Dr. Mellott indicated that neither Dr. Crago nor the LMSW were aware of BBHE's guidelines. Dr. Mellott explained that Dr. Crago took immediate action and reimbursed all insurance providers and patients that received services under the LMSW. Dr. Mellott stated that the CSC determined that Dr. Crago took all corrective action and that the conduct did not rise to a violation of statute or rule. The CSC voted to forward this matter to the Board with a recommendation that the Board issue a non-disciplinary Letter of Concern in resolution of this matter.

Dr. Crago and his attorney, Faren Akins, were present and requested to speak. Dr. Akins stated that he can answer any questions. Dr. Crago made a brief statement indicating that there was no fraudulent intent and immediate action was taken when he became aware of BBHE's guidelines. Dr. Crago indicated that he is no longer providing supervision. Dr. Stewart recognized Dr. Crago's effort to take corrective action.

MOTION: Dr. Mellott made a motion to issue a non-disciplinary Letter of Concern to Dr. Crago. Dr. Mellott indicated that the concern pertains to the American Psychological Association Ethical Principles of Psychologists and Code of Conduct 3.04 Avoiding Harm.

SECOND: Ms. Shreeve.

VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart.

VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

Ms. Michaelsen stated that Dr. Crago's renewal application is before the Board for review. Dr. Mellott stated that she reviewed Dr. Crago's renewal application and opined that his renewal application is complete.

MOTION: Dr. Mellott made a motion to approve Dr. Crago's renewal application.

SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart.

VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO THE COMPLAINT SCREENING COMMITTEE'S RECOMMENDATIONS TO ISSUE NON-DISCIPLINARY ACTION TO ALAN LEWIS, PSY.D., FOR COMPLAINT NO. 22-21 AND/OR INITIAL CASE REVIEW

Chairwoman Davis-Wilson provided a summary for the Board stating that the Board's Complaint Screening Committee (CSC) reviewed this matter concerning an evaluation that Dr. Lewis conducted on a two-year-old child. Chairwoman Davis-Wilson indicated that the Complainant was concerned with Dr. Lewis' bedside manner and language that Dr. Lewis utilized regarding the child's diagnosis. Chairwoman Davis-Wilson indicated that Dr. Lewis responded in a timely manner. Chairwoman Davis-Wilson stated that the CSC did not find that this matter rose to a violation of statute or rule but the CSC expressed concern with Dr. Lewis' report in that the report lacked guidance, lacked follow up instructions, lacked developmental surveillance recommendations and did not render an at-risk diagnosis. The CSC determined that non-disciplinary continuing education regarding developmental surveillance and documentation may be appropriate in this matter.

The Complainant was not present. Dr. Lewis was present, requested to speak, made a statement and answered Board members' questions. Dr. Lewis explained the avenues in which he provides clients for follow up care. Dr. Lewis attested that he always strives to represent himself in a kind and professional

manner. Dr. Lewis stated that he works exclusively with Hopebridge Autism Therapy Center (Hopebridge) wherein he conducts autism evaluations. Dr. Lewis explained his report writing techniques. Dr. Lewis explained his care of the patient. Dr. Meier expressed his concerns regarding Dr. Lewis' report writing and asked Dr. Lewis to address the Board's concerns. Dr. Lewis recognized the Board's concerns regarding the lack of information/documentation in his report. Ms. Shreeve asked Dr. Lewis to address the concern of his bedside manner. Dr. Lewis answered and indicated that he has taken this Complaint seriously and will continue to strive to provide the best care possible. Dr. Lewis explained that he is only allowed a certain amount of time to conduct an evaluation and that the evaluation is a limited evaluation.

MOTION: Dr. Caterino moved to go into Executive Session to review confidential records and to receive legal advice.

SECOND: Dr. Meier.

VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart.

VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

The Board met in Executive Session from 9:34 a.m. to 9:48 a.m.

Chairwoman Davis-Wilson asked Dr. Lewis to provide clarification as to his work history and conducting diagnostic evaluations. Dr. Lewis answered stating that he was originally licensed in Ohio in the mid 1990s and was employed at juvenile corrections. Dr. Lewis explained that when he relocated to Arizona he started employment with a youth facility and began conducting testing and diagnostics on children. Dr. Lewis stated that after his employment with the youth facility he began employment with the Department of Corrections and subsequently began his own private practice working with children. Dr. Lewis stated that he recently began employment with Hopebridge wherein his main function is conducting autism evaluations. Dr. Lewis indicated that he conducts a maximum of three autism evaluations a day for Hopebridge. Chairwoman Davis-Wilson asked Dr. Lewis to clarify his formal training in conducting autism evaluations. Dr. Lewis responded, indicating Hopebridge provided training. Dr. Caterino asked Dr. Lewis if Hopebridge provided a certified trainer and asked Dr. Lewis to explain the evaluation process. Dr. Lewis answered indicating that he does not always utilize the Autism Diagnostic Interview-Revised (ADIR). Dr. Lewis explained that he utilizes multiple testing depending on the patient. Dr. Lewis explained his use of the Autism Diagnostic Observation Schedule (ADOS). Dr. Mellott opined that Dr. Lewis is qualified to conduct autism evaluations and opined that there is no violation of statute or rule.

MOTION: Ms. Shreeve moved to accept the proposed non-disciplinary Order for Continuing Education. Dr. Lewis shall complete the ADOS training modules.

SECOND: Dr. Stewart.

The Board deliberated regarding the appropriate continuing education and training.

VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart. The following Board member voted not in favor of the motion: Mr. Dynar.

VOTE: 6-yay, 1-nay, 0-abstain, 0-recuse.

MOTION PASSED.

The Board recessed at 10:18 a.m. and resumed public session at 10:31 a.m. Dr. Stewart returned to the meeting at 10:39 a.m.

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PROPOSED CONSENT AGREEMENT AND ORDER PERTAINING TO COMPLAINT NO. 22-08 FOR

ALICIA ABBY GARCIA, PH.D., AND POSSIBLE MOTION TO VACATE THE INFORMAL INTERVIEW

Ms. Michealsen provided a summary, indicating the Board conducted an initial review of Complaint No. 22-08 at its meeting on April 8, 2022. The Board expressed concern that Dr. Garcia practiced outside of the scope of her expertise by providing a child custody recommendation in her letter and during her testimony at the Complainant's family court hearing. The Board voted to forward Complaint No. 22-08 to an Informal Interview and simultaneously directed Board staff to work with Dr. Garcia on negotiating a Consent Agreement. Ms. Michaelsen outlined the terms of a Consent Agreement that the Board cited it was willing to consider, which includes, but is not limited to, probation, continuing education, and consultation with a forensic psychologist for four hours. Ms. Michaelsen indicated that Dr. Garcia has signed the proposed Consent Agreement.

The Complainant was not present. Dr. Garcia's attorney, Sara Stark, was present on her behalf and made a statement. Ms. Stark requested that the Board accept the negotiated Consent Agreement.

MOTION: Ms. Shreeve moved to accept the proposed Consent Agreement and to vacate the Informal Interview.

SECOND: Dr. Meier.

ROLL CALL VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, and Ms. Shreeve. Dr. Stewart was abstained from this agenda item as he was not present.

VOTE: 6-yay, 0-nay, 1-abstain, 0-recuse.

MOTION PASSED.

Dr. Stewart rejoined the meeting at 10:31 a.m.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING THE COMMITTEE ON BEHAVIOR ANALYSTS' RECOMMENDATION REGARDING THE FOLLOWING COMPLAINTS AND/OR INITIAL CASE REVIEW OF THE FOLLOWING COMPLAINTS

a) Complaint No. 22-24 Rula Diab, M.Ed.

Chairwoman Davis-Wilson recused from this agenda item.

Ms. Michaelsen provided a summary, stating that this Complaint was reviewed by the Board's Committee on Behavior Analysts (Committee) at its meeting on May 27, 2022. Ms. Michaelsen stated that the Complainant, L.G., was employed by Ms. Diab in 2020. In February 2022, L.G. submitted her behavior analyst license application to the Board. L.G. communicated to Board staff that she has requested that Ms. Diab submit the supervision form for her application on several occasions but it has not been submitted. Subsequently, L.G. submitted the complaint regarding Ms. Diab's lack of response to her requests. Ms. Diab submitted the supervision form two days after the complaint was filed by L.G. Upon receipt of the supervision form, L.G.'s application was reviewed and approved by the Board. L.G. gained licensure in April 2022. Ms. Diab responded to the complaint, indicating that the delay in submitting the supervision form was due to family issues and incorrect Board staff email addresses, which LG supplied to Ms. Diab. The Committee determined that there is no time frame in which a licensee is required to submit licensure paperwork for an applicant but that a licensee should strive to submit the required paperwork within a timely manner. The Committee determined that although there was a delay in submitting the supervision form for various reasons, ultimately there was no violation of statute or rule.

Ms. Diab and her attorney, Sara Stark, Esq., were present, requested to speak and made a statement. Ms. Stark indicated that Ms. Diab did have a family illness during this time and that Ms. Diab's intent was to submit required paperwork in a timely manner. Ms. Stark detailed steps Ms. Diab has taken to prevent future issues in submitting supervision forms for supervisees.

MOTION: Dr. Mellott moved to accept the Committee’s recommendation to dismiss Complaint No. 22-24 as there were no violations of statute or rule.

SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart. Chairwoman Davis-Wilson recused from this item.

VOTE: 6-yay, 0-nay, 0-abstain, 1-recuse.

MOTION PASSED.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE COMMITTEE ON BEHAVIOR ANALYSTS RECOMMENDATION TO APPROVE LOUIS MARULL’S APPLICATION FOR LICENSURE AS A BEHAVIOR ANALYST WITH THE ISSUANCE OF A SIGNED CONSENT AGREEMENT FOR PROBATION AND MONITORING

Chairwoman Davis-Wilson summarized Mr. Marull’s application. The Behavior Analyst Committee (Committee) noted that Mr. Marull disclosed a previous criminal history on his licensure application. Chairwoman Davis-Wilson indicated, that during the application process, Mr. Marull received a Driving Under the Influence (DUI) charge. During the review of Mr. Marull’s application and DUI charge, the Committee requested that Mr. Marull undergo a Fitness for Duty Evaluation (Evaluation). Mr. Marull underwent the Evaluation within the required timeframe. The Committee reviewed the results of the Evaluation and interviewed Mr. Marull at its meeting on May 27, 2022. After deliberation, the Committee determined to forward Mr. Marull’s application to the Board with a recommendation to approve Mr. Marull’s application with a signed Consent Agreement for Probation and Monitoring. Mr. Marull was present, thanked the Board, and stated he is available for questions.

MOTION: Chairwoman Davis-Wilson moved to approve Mr. Marull’s application with the issuance of a signed Consent Agreement for Probation and Monitoring.

SECOND: Dr. Stewart.

ROLL CALL VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart.

ROLL CALL VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

Chairwoman Davis-Wilson stated that the Behavior Analyst Certification Board (BACB) has been notified of disciplinary matters in the past and asked if the Board would like to forward this matter to the BACB. The Board noted that Mr. Marull took it upon himself to notify the BACB of his DUI charge. Ms. Galvin clarified that the BACB has not been notified that the Board has taken disciplinary action. It was the consensus of the Board to direct Board staff to notify the BACB that the Board has taken disciplinary action against Mr. Marull.

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

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING A.R.S. §32-2061(16)(cc) AND THE ETHICAL PRINCIPLES OF PSYCHOLOGISTS AND CODE OF CONDUCT AT 9.04 RELEASE OF TEST DATA AND 9.11 MAINTAINING TEST SECURITY

Chairwoman Davis-Wilson summarized stating that the Board tabled this agenda item at its May 6, 2022, meeting to review published literature on the release of test data and maintaining test security. Dr. Akins was present and summarized the concern regarding the conflict with Board statute and the American Psychologist Association Ethical Principles of Psychologists and Code of Conduct (ethical code). Dr. Caterino explained the difference between test material and test data. Dr. Caterino stated that a psychologist

can release test data with the appropriate release. Dr. Caterino also stated that if a psychologist believes that releasing test data may be harmful to a client the psychologist is not obligated to release the test data. Dr. Caterino explained releasing test data when there is a Court Order. Dr. Caterino identified A.R.S. §32-2061(16)(cc) which states that a psychologist must release raw test data and psychometric testing materials.

Mr. Dynar provided clarification on the legislative history of A.R.S. §32-2061(16)(cc). Mr. Dynar opined that the ethical code states that information must be released pursuant to law. Dr. Meier opined that the A.R.S. §32-2061(16)(cc) indicates that the information must be released as provided by law therefore copyright laws may apply. Dr. Stewart explained that many psychologists sign a contract with test publishers in that the psychologist will not release materials. Dr. Stewart opined that if a psychologist signed a contract, the psychologist can request the Court to issue a Court Order to release the materials. Chairwoman Davis-Wilson suggested looking at historical data regarding the statutory changes in 2009 and 2014 to A.R.S. §32-2061(16)(cc). Dr. Caterino suggested releasing raw test data to other psychologists. Dr. Stewart suggested looking at a statutory language change. Ms. Shreeve suggested placing this matter on a future Board meeting agenda to determine whether the Board wishes to go through the legislative process to change statutory language. It was the consensus of the Board to table this matter and to refer it to the Board's Legislative Committee for further review.

14. DISCUSSION, CONSIDERATION, AND POSSIBLE REGARDING INCORPORATING BY REFERENCE THE CURRENT VERSION OF THE ETHICAL PRINCIPLES OF PSYCHOLOGISTS AND CODE OF CONDUCT OF THE AMERICAN PSYCHOLOGICAL ASSOCIATION

Ms. Michaelsen provided a summary stating that the Board discussed this matter at its May 6, 2022, meeting and requested that an agenda item be placed on a future Board meeting. Since the Board adopted the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association, June 1, 2003, (Code), there have been changes to the Code. Changes to the Code were made in 2010 and 2016. During previous Board discussions, Board members expressed concern with the 2010 and the 2016 version of the Code regarding military psychologists. Ms. Michaelsen indicated that two experts on the Code made presentations to the Board approximately one year ago in which one expert opined that the 2016 version of the Code would not affect forensic or military psychologists.

The Board deliberated. Dr. Mellott suggested accepting a newer version of the Code with an exception to the military psychologists. Mr. Dynar expressed his opposition to adopting the 2010 and 2016 Code as he believes that the Code would trump the Board's statute. Mr. Dynar suggested referring this matter to the Rules Committee for further discussion. Mr. Dynar explained the process in incorporating a Code by reference in rule. Dr. Meier confirmed that the Board has incorporated the 2003 Code in statute. Dr. Meier opined that the Code would not trump Board statute. Dr. Meier noted that there may be issue with the lack of a "human rights" definition. Board members deliberated the 2010 and 2016 version of the Code regarding military psychologists. Board members deliberated whether the 2010 and 2016 Code would trump the Board's statutes. Board members deliberated the rulemaking process regarding the incorporation by reference process. Mr. Dynar opined that the 2010 and the 2016 version of the Code removes the responsibility of a psychologist to follow the Board's statutes. Dr. Meier opined that military psychologists will gain licensure in Arizona because Arizona has not adopted the 2010 or the 2016 Code. Dr. Meier explained that the 2016 Code specifically states that a psychologist cannot violate human rights. Ms. Galvin opined that the 2010 and 2016 Code do not necessarily allow a psychologist to disregard the Board's statute. Dr. Mellott suggested forwarding this matter to the Board's Legislative Committee.

MOTION: Chairwoman Davis-Wilson moved to move this matter to the Board's Legislative Committee for further discussion and to bring a recommendation to the Board. Chairwoman Davis-Wilson withdrew her motion.

MOTION: Dr. Meier moved to change Board rules to incorporate the behavior analyst rule language regarding incorporation of the Code by reference to include the 2016 Code.

SECOND: Dr. Caterino.

Dr. Meier withdrew his motion and Dr. Caterino withdrew her second to the motion.

MOTION: Dr. Meier moved to forward this matter to the Board’s Legislative Committee for further review.

SECOND: Dr. Stewart.

ROLL CALL VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart.

ROLL CALL VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO CONSIDERATION OF POSSIBLE MERIT-BASED INCENTIVE PAY FOR BOARD STAFF

Ms. Michaelsen provided a summary, requesting that the Board authorize her and Ms. Paakkonen to award merit-based incentives at their discretion to qualifying staff for their excellent work during the current fiscal year. If not approved by the Board, the money would revert back to the Board’s reserved fund at the end of the fiscal year. Ms. Michaelsen indicated that the Board’s fund allows the awarding of such incentives, based on the criteria and amounts outlined in the memo.

Board members recognized Board staff’s hard work and efforts over the course of the past year and stated their appreciation for staff’s time and continuing commitment to the Board.

MOTION: Ms. Shreeve moved for the Board to authorize the Executive Director and Deputy Director to award merit-based incentives to Board staff based on the criteria outlined in the memo.

SECOND: Dr. Caterino.

VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve and Dr. Stewart.

VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST REAPPLICATION FOR EPPP & LICENSURE FROM MICHAEL MEDRANO, PH.D. (PART 2 ONLY)

Dr. Meier recused from reviewing Dr. Medrano’s application.

Dr. Caterino provided a summary of Dr. Medrano’s application. Dr. Caterino indicated that Dr. Medrano’s application meets the requirements of statute and rule.

MOTION: Dr. Caterino moved to allow Dr. Medrano to sit for the EPPP Part 2.

SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Mellott, Ms. Shreeve and Dr. Stewart. Dr. Meier recused from voting.

VOTE: 6-yay, 0-nay, 0-abstain, 1-recuse.

MOTION PASSED.

17. NEW AGENDA ITEMS FOR FUTURE MEETINGS

Ms. Shreeve requested that an item regarding study materials for the EPPP Part 2 be added to a future agenda.

18. ADJOURNMENT

MOTION: Dr. Mellott moved to adjourn the meeting.

SECOND: Mr. Dynar.

VOTE: The following Board members voted in favor of the motion: Chairwoman Davis-Wilson, Dr. Caterino, Mr. Dynar, Dr. Meier, Dr. Mellott, Ms. Shreeve, and Dr. Stewart.

VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

The meeting adjourned at 12:05 p.m.

Respectfully submitted

Linda C. Caterino Ph.D., ABPP

Linda C. Caterino, Ph.D. A.B.P.P.
Secretary