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Board of Psychologist Examiners

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Dr. Cindy Olvey
Executive Director

Lynanne Chapman
Deputy Director

Heather Duracinski
Licensing Coordinator

Krishna Poe
Administrative Assistant

REGULAR SESSION MINUTES

March 4, 2016, 7:45 a.m.
1400 W. Washington
Basement, Conference Room B-1
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Wechsler at 7:45 a.m. on March 4, 2016.

2. ROLL CALL

Board Members Present

Frederick S. Wechsler, Ph.D., Psy.D., ABPP – Chair
Tamara Shreeve, MPA – Vice - Chair
Bob Bohanske, Ph.D.
Janice K. Brundage, Ph.D.
Joseph C. Donaldson (8:01 a.m. – 8:40 a.m.)
Lynn L. Flowers, Ph.D.
Ramona N. Mellott, Ph.D. (joined at 7:47 a.m.)
Rob Robichaud, M.A. CJ, SHRM-CP, PHR - Vice-Chair

Staff Present

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

Attorney General's Office

Jeanne Galvin, Esq.

Board Members Absent

Paul Beljan, Psy.D., ABPdN, ABN

3. CALL TO THE PUBLIC

D. H. was present, requested to speak and made a statement. D.H. stated that she is present to speak about Agenda Items 6 and 7. D.H. stated that she received permission from the court to submit her issues to the Board. D. H. stated that this matter has been ongoing and requested that the Board move forward with reviewing the issues, regardless of whether they are reviewed through the claim process or the complaint process.- L.H. was present, requested to speak and stated that she is in support of D.H. requested that the Board move forward—regardless of the process used by the Board.

4. CONSENT AGENDA – DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION

Ms. Shreeve abstained from voting on the February 5, 2016, Regular Session Minutes. Dr. Brundage made a motion, seconded by Dr. Flowers, to approve the items on the Consent Agenda. The motion carried 8-0.

- a. **APPROVAL OF MINUTES**
 - February 5, 2016, Regular Session (Ms. Shreeve abstained)
 - b. **DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS**
 - i. **REQUESTING APPROVAL TO SIT FOR THE EPPP ONLY**
 - Linzi Cody, Ph.D.
 - Rachel Youngblom, Psy.D.
 - ii. **REQUESTING APPROVAL TO SIT FOR EPPP AND LICENSURE**
 - Annel Cordero, Ph.D.
 - Jennifer Kirkpatrick, Ph.D.
 - Megan Aros-O'Malley, Ph.D.
 - Ryan Drzewiecki, Psy.D.
 - Samantha Jesse, Ph.D.
 - Thomas Barber, Psy.D.
 - Thomas McCaffrey, Psy.D.
 - iii. **REQUESTING APPROVAL OF LICENSURE BY WAIVER**
 - Donna Price, Psy.D.
 - iv. **REQUESTING APPROVAL OF LICENSURE BY CREDENTIAL**
 - Donald Townsend, Ph.D.
 - v. **REQUESTING APPROVAL OF SUPERVISED PROFESSIONAL EXPERIENCE HOURS AND LICENSURE**
 - Emily Strang, Ph.D.
 - c. **DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS**
 - Kylan Turner, Ph.D.
 - d. **DISCUSSION/DECISION REGARDING REQUEST FOR EXTENSION OF TIME TO SIT FOR EPPP FROM SARAH OPUROKU, PSY.D.**
- 5. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING LEGISLATIVE UPDATE INCLUDING, BUT NOT LIMITED TO, HB 2503, HB 2501, SB 1121, HB 2217, AND SB 1443**

Brandy Petrone from Goodman Schwartz Public Affairs was present telephonically and provided an update to the Board and answered Board members' questions. Ms. Petrone summarized changes to HB 2501 and how the changes may affect the Board. Additionally, she stated that SB 2503 passed the House and will be scheduled to be heard by the Senate, SB 1121 was not heard, HB 2217 failed, SB 1443 passed the Senate, and the budget is moving forward. Board members thanked Ms. Petrone for the update.

- 6 & 7. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING CORRESPONDENCE RECEIVED FROM LARRY COHEN OBJECTING TO BOARD ACTION TAKEN PERTAINING TO PAULETTE SELMI, PH.D. AND DENISE GLASSMOYER, PSY.D.**

Ms Chapman provided a summary to the Board stating that the Board voted to open Request for Investigations regarding Drs. Selmi and Glassmoyer at its October 7, 2015, meeting. Ms. Chapman clarified that the Board opened these complaints under the law (A.R.S. §32-2081(B)) regarding court appointed psychologists that was in effect prior to July 3, 2015. Ms. Chapman stated that the Board office received correspondence from Larry Cohen, attorney representing Drs. Selmi and Glassmoyer, objecting to the opening of complaints against these psychologists, stating that the Board lacks subject matter jurisdiction under the old law.

Neither Dr. Selmi nor Dr. Glassmoyer were present; however, Mr. Cohen, was present, requested to speak, made a statement and answered Board members' questions. Mr. Cohen stated that, under the law that was in effect prior to July 3, 2015, the Court first found a substantial basis from which to refer complaints to the Board. In this instance, Mr. Cohen stated that the Court did not hear the complaints, therefore, the Court did not make a finding to refer the complaints to the Board. Rather, Mr. Cohen elaborated, the Court gave D.H. the option to file the matters with the Board under the new law (A.R.S. §32-2081(C)), or have the matter heard by the Court at that time. D.H. elected to file the matter with the Board once the new statute was in effect. Mr. Cohen requested that the Board withdraw its Request for Investigation letters to Drs. Selmi and Glassmoyer and either require that D.H. either pursue a finding from the Court that there is a substantial basis to refer the complaint to the Board, in accordance with the previous statute, or accept the matters as Claims, pursuant to A.R.S. §32-2081(C).

Board members deliberated and determined that these matters should be considered by the Board as Claims pursuant to A.R.S. §32-2081(C). After deliberation, Ms. Shreeve made a motion, seconded by Dr. Flowers, to withdraw the Request for Investigation letters submitted to Drs. Selmi and Glassmoyer and process the matters as Claims under A.R.S. §32-2081(C). The motion carried 6-2 on a roll call vote with Dr. Bohanske and Dr. Brundage voting no.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO RESPONDENT'S REQUEST TO STAY BOARD PROCEEDINGS IN RFI 15-31, REGARDING MICHAEL EPSTEIN, PH.D.

Ms. Chapman provided a summary to the Board stating that a complaint was filed against Dr. Epstein. Dr. Epstein is currently in the Navy and the Navy is conducting its own investigation into this matter. The Board office requested an expedited response from Dr. Epstein due to the nature of the allegations. The Board office received Dr. Epstein's response through his legal counsel, J.W. Carver, and it was requested that the Board either close this matter or stay its proceedings until the Navy concludes its investigation.

Dr. Epstein was not present. Arizona attorney, Robert Chelle, was present telephonically, requested to speak, made a statement and answered Board members' questions. Mr. Chelle stated that Dr. Epstein has secured an attorney licensed in California, J.W. Carver, and has requested that Mr. Carver represent him in Arizona. Mr. Chelle is currently sponsoring Mr. Carver in his petition for *pro hac vice* admission so that he can represent Dr. Epstein in front of the Board regarding this matter. Mr. Chelle requested that the Board stay its proceedings in this matter until such a time that Mr. Carver has been admitted to represent Dr. Epstein in Arizona. Board members asked Mr. Chelle when Mr. Carver will be admitted to Arizona. Mr. Chelle stated that there is no set date but believes it will be before May 1, 2016.

After deliberation, Dr. Mellott made a motion, seconded by Dr. Wechsler, to stay Board proceedings in this matter until Mr. Carver is granted Arizona *pro hac vice* admission, or until May 1, 2016,

whichever date is sooner. The motion carried 6-2 on a roll call vote with Dr. Brundage and Mr. Donaldson voting no.

Mr. Donaldson left the meeting at 8:40 a.m.

9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING UPDATE FROM THE BOARD'S CONTINUING EDUCATION COMMITTEE REGARDING THE CONTINUING EDUCATION AUDIT CONDUCTED FOR LICENSING PERIOD 2013-2015

Dr. Brundage provided a summary to the Board stating that the continuing education audit has concluded. Dr. Brundage stated that all licensees who were audited are in compliance. Dr. Brundage thanked Committee members and staff for their work on the Committee.

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO REQUEST FOR APPROVAL OF DRAFT PSYCHOLOGY RULES FOR POSTING ON THE BOARD'S WEBSITE AND INVITING INFORMAL PUBLIC COMMENT

Dr. Mellott provided a summary to the Board stating that the Committee has been working on drafting rules for telepsychology, temporary licensure and license renewals for psychologists. Dr. Mellott stated that the draft psychology rules are before the Board for review and approval to post the draft rules on the Board's website for public comment. After deliberation, Dr. Wechsler made a motion, seconded by Dr. Mellott to post the draft rules on the Board's website for public comment. The motion carried 7-0.

11. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CALL FOR NOMINATIONS FROM THE ASSOCIATION FOR STATE AND PROVINCIAL PSYCHOLOGY BOARDS (ASPPB) FOR AWARDS AND POSITIONS ON THE BOARD OF DIRECTORS AND ATTENDANCE AT THE ASPPB MIDYEAR MEETING

Dr. Olvey provided a summary stating that each year ASPPB asks for nominations for awards and for nominations for positions on the ASPPB Board of Directors. Dr. Olvey stated that Dr. Bohanske has expressed interest in the Member-at-Large position. After deliberation, Dr. Wechsler made a motion, seconded by Dr. Brundage, to nominate Dr. Bohanske for ASPPB's Member-at-Large position. The motion carried 7-0.

Dr. Olvey stated that ASPPB's mid-year meeting is scheduled to be held in Anchorage beginning May 4, 2016, through May 7, 2016. Dr. Olvey asked the Board that, if funds are available, would it like to send a Board member to the meeting. After deliberation, Dr. Wechsler made a motion, seconded by Dr. Flowers, to send Dr. Bohanske to ASPPB's mid-year meeting if funds become available, and to send Drs. Brundage and Mellott if funds are available. The motion carried 7-0.

12. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION PERTAINING TO ESTABLISHMENT OF A TREATMENT AND REHABILITATION PROGRAM FOR IMPAIRED PSYCHOLOGISTS PURSUANT TO A.R.S. §32-2086

This agenda item was tabled to a future meeting of the Board.

13. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO NECESSARY DELEGATION OF AUTHORITY TO THE BOARD'S EXECUTIVE DIRECTOR TO ENTER INTO AND ISSUE ALL NECESSARY INTERIM AND FINAL ORDERS RELATING TO THE REHABILITATION AND TREATMENT PROGRAM

This agenda item was tabled to a future meeting of the Board.

14. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO THE ADOPTION OF A SUBSTANTIVE POLICY STATEMENT DEFINING “IMPAIRED PSYCHOLOGIST” AS USED IN A.R.S. §32-2086

This agenda item was tabled to a future meeting of the Board.

15. NEW AGENDA ITEMS FOR FUTURE MEETINGS

There were no new items for future meetings.

16. ADJOURN

There being no further business before the Board, Dr. Brundage made a motion, seconded by Dr. Flowers, to adjourn the meeting at 8:58 a.m. The motion carried 7-0.

Respectfully submitted,

Tamara Shreeve, MPA
Vice-Chair