



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

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

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### *Regular Session Meeting Minutes*

Held virtually via Zoom on April 8, 2021

#### *Board Members*

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

#### **1. CALL TO ORDER**

Chairwoman Davis-Wilson called the Board's meeting to order at 8:06 a.m.

#### **2. ROLL CALL**

The following Board members participated in the virtual meeting: Chairwoman Davis-Wilson, Vice-Chairman Davey, Dr. Meier, Dr. Caterino, Mr. Dynar, Dr. Gill, Dr. Mellott and Ms. Shreeve. 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 Michaelsen, Deputy Director; Jeanne Galvin, Assistant Attorney General (AAG); Kathy Fowkes, Licensing Specialist; and, Krishna Poe, Programs & Projects Specialist.

#### **3. REMARKS/ANNOUNCEMENTS**

- **Board Surveys**

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 efforts in facilitating the Board's meeting.

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

Chairwoman Davis-Wilson announced that meeting attendees were eligible for continuing education credit. She stated that code words would be provided throughout today's meeting that attendees are to email Board staff within one week of the meeting to receive the credit.

#### **4. CALL TO THE PUBLIC**

No individuals addressed the Board during the Call to the Public.

## 5. COUNSEL UPDATE

This item was considered around 8:10 a.m.

*Ms. Shreeve joined the meeting at 8:10 a.m.*

AAG Galvin reported that the matter involving Dr. Sadeh is pending in Superior Court and that opening briefs are currently being filed. Mr. Dynar thanked AAG Galvin for provided the case file for the Board's review and asked that copies of the State's opening and response briefs be provided to the Board at its next meeting for review.

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

The Consent Agenda was considered around 8:12 a.m.

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

**SECOND: Mr. Dynar**

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

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

**MOTION PASSED.**

### A. APPROVAL OF MINUTES

- March 12, 2021 Regular Session Minutes
- March 12, 2021 Executive Session Minutes

### B. EXECUTIVE DIRECTOR'S REPORT

### C. DISCUSSION/DECISION REGARDING PSYCHOLOGIST APPLICATIONS

#### **Requesting Approval to Sit for Examination (EPPP) Only**

- 1) Arialda Fejzic, Psy.D.

#### **Requesting Approval to Sit for Examination (EPPP) & Licensure**

- 1) Amina Yasmeen Simmons, Ph.D.
- 2) Ash D. Senter, Psy.D.
- 3) Mariela Soto, Psy.D.
- 4) Megan C. Jeffreys, Ph.D.
- 5) Shannon Jewell-Jones, Ph.D.

Dr. Meier was recused from this item.

#### **Requesting Approval for Licensure by Waiver**

- 1) Efrat Hedges Eichenbaum, Ph.D.
- 2) Jesse Scott, Ph.D.

#### **Requesting Approval of Supervised Experience for Licensure**

- 1) Ashley R. Voss, Ph.D.

#### **Requesting Approval for Licensure by Credential**

- 1) Dudley J. Terrell, Ph.D.
- 2) Jeannie Sperry, Ph.D.

#### **Requesting Approval of Temporary Licensure and to Sit for EPPP**

- 1) Kia A. Watkins, Psy.D.
- 2) Colleen Feeney Wilson, Psy.D.

**Requesting Approval for Licensure by Universal Recognition**

- 1) Emily Marie Cheatum, Psy.D.
- 2) Flora DeFilippo, Ph.D.
- 3) Joan F. Joynson, Ph.D.
- 4) Molly Anne Sims Maxfield, Ph.D.

**D. DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS**

- 1) Arianna Charos, M.S.  
Chairwoman Davis-Wilson was recused from this item.
- 2) Caroline Ann Cohen, M.A.
- 3) Chelsea Carr, Ph.D.
- 4) Emily Minnema, M.A.
- 5) Emma Andrews, M.S.
- 6) Geoffrey Loughrey, M.S.Ed.
- 7) Jen Lyn McCoy, M.Ed.
- 8) Kayleigh Elisabeth Lutich, M.Ed.
- 9) Kendall Brian Curtis, Jr., M.Ed.
- 10) Kendall Davis, M.A.
- 11) Melissa Hale, M.A.
- 12) E. Amanda Boutot DiGangi, Ph.D.
- 13) Hande Cihan, M.S.

**E. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST TO RETAKE THE EPPP AND REVIEW OF STUDY PLAN FROM GENARO HUERTA, PH.D., TEMPORARY LICENSE HOLDER PSY-T-000007**

**F. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR TESTING ACCOMMODATIONS FROM LORI WILSON, PSY.D.**

**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**

**7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING AUSTIN MCCALL'S REQUEST TO MODIFY THE TERMS OF HER CONSENT AGREEMENT IN CASE NO. 20-47**

This item was considered around 8:29 a.m.

Dr. McCall and Attorney Tammy Thibodeaux participated in the virtual meeting during the Board's consideration of this matter. Members of the licensee's treatment team also participated in the virtual meeting, including Dr. Maria Faria, Dr. Mark Rohde, and Ms. Erin Stanfield.

Deputy Director Michaelsen summarized that Dr. McCall entered into a Consent Agreement with the Board effective September 23, 2020 that required practice monitoring consisting of meeting with the monitor twice per month for two hours for the first six months, after which time she is permitted to request modification of elimination of the requirement. The Board subsequently amended the agreement in November of 2020 to require the licensee to submit to drug testing four times per month using a testing method as required by Dr. Faria; after four months, this requirement may be reassessed and altered with report to the Board. Dr. McCall has requested elimination of the practice monitoring requirement and reduction in the frequency of drug screens. The practice

monitor has recommended termination of the practice monitoring requirement as Dr. McCall has been in full compliance with the requirement. Dr. Faria submitted a quarterly report to the Board recommending random drug testing reduction to three times per month for the next four months with the stipulation that additional can be done if needed.

Dr. Rhode reported that Dr. McCall has been fully compliant with practice monitoring requirements and that it was a pleasure to work with the treatment team. He stated that he did not perceive any risk to the community and that he was impressed by the process that was identified and put into place to help the licensee. AAG Galvin recalled Dr. McCall reported previously that she planned to move her place of residence and questioned whether such a move had taken place. Dr. McCall confirmed that she relocated and that she updated the Board with her new address.

**MOTION: Dr. Meier moved for the Board to terminate the practice monitoring requirement and to reducing the frequency of drug screens based upon the treatment team's recommendations.**

**SECOND: Mr. Dynar**

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

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

**MOTION PASSED.**

Dr. Faria stated that it has been a pleasure to work with the treatment team and that Dr. McCall was doing very well with her new employment and other transitions that are required of her. She stated that the licensee has and continues to take responsibility and accountability, and that she has expressed her willingness to participate in any testing as needed.

## **8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING A REQUEST FROM SARETTE ZECHARIA, PH.D. TO TERMINATE PROBATION FOR CASE NO. 20-35**

This item was considered around 8:21 a.m.

Dr. Zecharia and Attorney John Ager participated in the virtual meeting during the Board's consideration of this matter.

Deputy Director Michaelsen summarized that in September 2020, the Board issued a disciplinary order for probation and supervision after holding a Formal Interview in this matter. Dr. Zecharia's license was placed on probation for six months with the requirement to meet with a practice monitor twice monthly for a minimum of two hours. After six months, the licensee may petition the Board for probation termination. Deputy Director Michaelsen reported that Dr. Zecharia engaged in practice monitoring for the last six months and that the second quarterly report recommended concluding the monitoring requirement. The practice monitor found that Dr. Zecharia has successfully completed her goals and objectives, and has maintained a solid professional network to seek consultation when the need arises.

Mr. Ager referred the Board to the practice monitor's reports and asked the Board to use their discretion to end the probation and restore Dr. Zecharia's license. Dr. Caterino recalled that one issue identified in this case involved patients and insurance companies that were being billed for services rendered by an individual who did not hold appropriate credentials. Dr. Caterino questioned whether the patients were reimbursed their copay fees. AAG Galvin advised that the issue before the Board at this time involved whether the licensee has successfully completed the terms of probation.

**MOTION: Ms. Shreeve moved for the Board to grant the request to terminate the probation, effective upon receipt of the order completed by staff.**

**SECOND: Chairwoman Davis-Wilson**

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

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

**MOTION PASSED.**

AAG Galvin clarified that the order for termination will become effective on the date it is sent to the parties.

**9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING SELF-REPORT AND REINSTATEMENT/RENEWAL APPLICATION SUBMITTED BY APRIL WIECHMANN, PH.D.**

This item was considered around 8:37 a.m.

*Dr. Mellott joined the meeting at 8:40 a.m.*

Dr. Wiechmann participated in the virtual meeting during the Board's consideration of this matter.

Deputy Director Michaelsen summarized that Dr. Wiechmann was issued an Arizona license in 2012 and entered inactive status in 2017. Dr. Wiechmann also holds licensure in Texas where she currently resides and practices. In December of 2020, Dr. Wiechmann contacted Board staff regarding her renewal and reported criminal charges involving domestic violence, which was not reported within the ten days of the occurrence as required by statute. Deputy Director Michaelsen reported that Dr. Wiechmann promptly submitted a narrative of the events that led to the criminal charges as well as the related court documents. Dr. Wiechmann was charged with two counts of misdemeanor assault on a family member that occurred in Texas in August 2020, four months prior to the licensee making initial contact with Board staff. Deputy Director Michaelsen informed the Board that according to the Texas Board's Executive Director, arrests and charges are not required to be reported, only the final disposition. Dr. Wiechmann subsequently reported that the charges were dismissed on March 4, 2021. Deputy Director Michaelsen confirmed that the licensee filed her renewal application in February 2021 and disclosed the criminal charges accordingly.

Dr. Wiechmann stated her appreciation for Board staff's assistance, and reported that she has not practiced in Arizona and was not aware of the reporting requirements. She stated that the charges have since been dismissed with no requirements and that she is eligible for immediate expungement. Dr. Wiechmann apologized for the oversight, and stated that she has learned from this experience and wished to maintain her inactive license in Arizona. Dr. Gill questioned whether the police report was obtained for review. AAG Galvin reported that a request was submitted with no response as of yet, and that according to information submitted by the licensee, Texas law restricts the release of police reports. Dr. Wiechmann reported that she did not receive a copy of the police report and that she believed the charges were dismissed due to dishonesty in the original police report.

Chairwoman Davis-Wilson recognized that the licensee reviewed the reporting requirements for the state in which she practices and that she attempted to remediate the issue as quickly as possible regarding her Arizona license. Chairwoman Davis-Wilson spoke in favor of renewing the inactive license and dismissing concerns relating to reporting. Dr. Mellott agreed and stated that the situation was unique, and she stated her appreciation for the licensee's due diligence in following up with the Texas Board.

**MOTION: Dr. Mellott moved for the Board to renew the inactive license and take no further action.**

**SECOND: Chairwoman Davis-Wilson**

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

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

**MOTION PASSED.**

## **10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING SUPERVISEE PRACTICE UNDER SUPERVISOR'S PSYPACT AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY ("APIT")**

The Board considered this item around 11:30 a.m.

Executive Director Herbst Paakkonen reported that Arizona is one of the participating jurisdictions under the Psychology Interjurisdictional Compact ("PSYPACT"), whose commission establishes rules including under APIT. She stated that the November 2020 meeting of the PSYPACT commission involved discussion relative to whether APIT authority extended to trainees under those psychologists who are granted such authority. She stated that it would be appropriate for the Board, through her as the Commissioner, to request that the commission consider making such a change.

**MOTION: Dr. Meier moved for the Board to instruct the Executive Director as Commissioner to submit the request to extend the authority to trainees to the PSYPACT commission.**

**SECOND: Chairwoman Davis-Wilson**

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

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

**MOTION PASSED.**

## **11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION EVALUATION AND MANAGEMENT SYSTEM PROPOSALS**

This item was considered around 11:00 a.m.

Executive Director Herbst Paakkonen summarized that it has been well documented that the rollout and implementation of the e-licensing platform shared across 13 agencies missed many requirements that were articulated and requested by the Board, but were not developed into the final product. She stated that the prior Executive Director determined that the functioning of the system as it related to application intake and application review was so deficient that they pulled those business functions the system entirely. Executive Director Herbst Paakkonen clarified that the e-licensing system is currently being used for the purposes of license renewals only. She stated that the complaints or claims processes continue to be managed in separate files. She reported that the Agency has done its due diligence to try and address the deficiencies and fix the problems including using an outside vendor to develop materials that were submitted to ASET for review and consideration as to how the system could be improved to better meet the Board's needs. ASET at that time elected to assume the development identified in those materials rather than outsource it to an outside vendor.

Executive Director Herbst Paakkonen reported that the Agency requires very specific and detailed application instructions to be provided to applicants and that in absence of those instructions, applicants submit materials that are incomplete or that are otherwise unacceptable. She stated that this issue will not be resolved through the current e-licensing system. She explained that another issue with the current system related to the inability to identify a vendor to implement a utility to the system that creates a report output that is the application file, and that individuals cannot log into the system the way it is currently programmed and navigate to find information needed to effectively perform a substantive review. Executive Director Herbst Paakkonen reported that based on her research and observing a number of demonstrations on this product, she believed Thentia was capable of meeting the Board's needs. She further reported that a matrix was provided to both Thentia and ASET that outlined the Board's specific requirements, and that Thentia answered in the affirmative to its ability to meet the business requirements as outlined. Thentia also indicated that they believed the system could be developed and delivered by July 31, 2021 for about \$12,000. Executive Director Herbst Paakkonen reported that she received an incomplete proposal from ASET and that she disagreed with a number of statements made in their documentation wherein they confirm certain functionalities do exist within the current system when they do not.

In response to Board members' questions, Executive Director Herbst Paakkonen confirmed that there were no

procurement concerns relative to acquiring Thentia's product and that other Executive Directors have raved about this product as well as the company's ability to deliver what they need. She also reported that the ASPPB's Plus system was not an option as they are not accepting new jurisdictions at this time. Dr. Mellott spoke in favor of proceeding with Thentia as a solution to the Board's licensing platform issues.

**MOTION: Dr. Mellott moved for the Board to proceed with the proposal from Thentia.**

**SECOND: Ms. Shreeve**

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

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

**MOTION PASSED.**

## **12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING INCORPORATING BY REFERENCE THE CURRENT VERSION OF THE ETHICAL PRINCIPLES OF PSYCHOLOGISTS AND CODE OF CONDUCT OF THE AMERICAN PSYCHOLOGICAL ASSOCIATION ("APA")**

This item was considered around 10:11 a.m.

Frederick Wechsler, Ph.D., Psy.D., participated in the virtual meeting during the Board's consideration of this matter.

Executive Director Herbst Paakkonen reported that this issue emerged from the Legislative and Rules Committee when considering whether to promulgate a rule change to adopt the current version of the APA Code of Ethics. The Committee determined that this issue required the full Board's evaluation. At its March 2021 meeting, the Board heard a presentation from Joel Dvoskin, Ph.D., ABFP, who reported on the different versions of the APA's ethical code. At that time, the Board requested additional information and to invite another expert to appear before the Board with the specific perspective as military psychologist. The Board received the current version of the APA's Ethical Principles of Psychologists and Code of Conduct that reflected the 2010 and 2016 edits, as well as copies of meeting minutes from August 2012, October 2015 and March of 2017 which memorialize the Board's prior discussions on this topic.

Dr. Wechsler provided the Board with a brief overview of his background and extensive experience working with military personnel. Dr. Caterino stated that based on her own research, only a few states reference the APA's code of ethics and she questioned what caused the Board to make such a reference in its own statutory framework. Dr. Wechsler stated that to the best of his recollection, a discussion was held years ago relative to whether a violation of the APA's ethical code constituted a violation of state statute, and it was determined that a licensee's failure to adhere to the APA's ethical code would also be considered a violation of Arizona statute.

Executive Director Herbst Paakkonen clarified that A.R.S. § 32-2063(A)(11) provides that the Board shall adopt a code of ethics and base it on the code of ethics adopted and proposed by the APA. Ms. Shreeve recalled the Board's prior discussions of potentially adopting a more recent version of the APA's code of ethics and Board members' concerns regarding possible conflict with psychologists practicing within the military. Dr. Wechsler opined that adoption of a more recent version of the APA's code of ethics would not likely affect forensic or military psychologists. Chairwoman Davis-Wilson questioned whether the Board should adopt language similar to that of the Behavior Analysts to incorporate referencing the current version of the code which would only change if the Board has issues with the APA's current version.

Mr. Dynar stated his concerns regarding the Board making any reference to the APA's code of ethics in its statutory framework and stated that he strongly objected to adopting the 2010 and 2016 amendments. He stated that under the Board's current statutes, a licensee has the ability to use the current version of the code of ethics as a defense that they did not engage in unprofessional conduct. Mr. Dynar further stated his concerns that adoption of the 2010 or 2016 versions would nullify federal law, which he stated is not the State's job to introduce or incorporate rule language that would nullify federal law. Mr. Dynar reiterated his strong objections

to adopting the 2010 and 2016 versions. Dr. Mellott stated that based on her recollection of prior Board discussions on this topic, Mr. Dynar's expressed concerns are similar to that of the Board's prior discussions, particularly articulated by the late Dr. Bohanske.

Dr. Gill requested Mr. Dynar reduce his concerns into writing for the Board's review to better understand his position as well as the statutory references. Mr. Dynar offered to work with the AAG to obtain an opinion from the Attorney General on this matter. Ms. Shreeve spoke in favor of the Board maintaining its adoption of the 2003 version. Dr. Meier spoke in favor of the Board adopting the current version of the APA's code of ethics and stated that he supported Dr. Gill's request to review Mr. Dynar's position in writing along with the statutory references as well as additional legal guidance on the impact of this.

It was the consensus of the Board to seek additional legal advice on this matter. AAG Galvin requested Mr. Dynar submit his concerns in writing to help her frame the issue and report back to the Board. The Board thanked Dr. Wechsler for participating in today's proceedings.

### **13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO RENEWAL APPLICATION SUBMITTED BY MATTHEW K. NIELSEN, PSY.D.**

This item was considered around 8:58 a.m.

Executive Director Herbst Paakkonen reported that Dr. Nielsen submitted his license application in March of 2021 wherein he answered in the affirmative to a number of application questions relative to a pending investigation with the US Airforce. Dr. Nielsen retired from active duty in July of 2020, but prior to doing so, he disciplined some subordinates who subsequently filed a complaint against him which is currently open and under investigation.

Dr. Nielsen explained that he was overseeing the behavior health unit and disciplined staff who then filed complaints alleging that they were disciplined as a form of retaliation for a prior complaint. He stated that it does not relate in any way to the provision of psychological services and was purely an administrative issue.

**MOTION: Dr. Mellott moved for the Board to grant the license renewal and ask the licensee to keep the Board informed as to the progress and final report of the investigation when it becomes available.**

**SECOND: Dr. Meier**

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

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

**MOTION PASSED.**

### **14. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO REINSTATEMENT APPLICATION SUBMITTED BY DENNIS E. BROADBENT, PH.D.**

This item was considered around 11:17 a.m.

Executive Director Herbst Paakkonen summarized that this matter concerned Dr. Broadbent's application for license renewal and reinstatement. Dr. Broadbent's license expired on February 28, 2021, he practiced for two days on the expired license and he submitted CE credits that were completed after the deadline. Dr. Meier stated that it appeared from Dr. Broadbent's response that he was continuing to provide services with an expired license. Dr. Gill clarified that Dr. Broadbent indicated he was continuing to provide emergency services. Ms. Shreeve questioned whether a license is required to provide emergency services and whether such services would be covered by insurance if the individual's license is not valid. Dr. Mellott noted that these services could be provided under the auspices of an agency and while under supervision.

The Board discussed postponing this matter to its next meeting and request Dr. Broadbent's participation versus granting the license renewal and initiating an investigation to address practicing without a license. Chairwoman Davis-Wilson spoke in support of granting the renewal and pursuing an investigation. Dr. Gill commented that

it was in the community's best interest to renew the license and pursue a complaint. With respect to the failure to complete the required CEs for license renewal, Dr. Mellott pointed out that there was an exemption under the COVID pandemic. Executive Director Herbst Paakkonen explained that Dr. Broadbent did not request a waiver prior to the deadline and clarified that one would have been granted had such a request been made. Dr. Gill stated his concerns with the individual's lack of attention to details. Dr. Mellott recognized that Dr. Broadbent has been licensed for forty years with no prior issues and has provided a strong service in the State. She also pointed out that the Board currently issues its notifications through electronic means only and that Dr. Broadbent had indicated that he switched internet providers. Ms. Shreeve commented that licensees are required to know the deadlines that apply to their license.

**MOTION: Dr. Mellott moved for the Board to grant the license renewal and to initiate an investigation against Dr. Broadbent for practicing on an expired license and failure to complete the CEs require for license renewal.**

**SECOND: Dr. Gill**

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

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

**MOTION PASSED.**

## **15. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO REACTIVATION REQUEST SUBMITTED BY EDWIN L. HILL, PH.D.**

This item was considered around 8:48 a.m.

Dr. Hill participated in the virtual meeting during the Boards consideration of this matter.

Executive Director Herbst Paakkonen reported that Dr. Hill has had an inactive license since April 30, 2017 and recently submitted his request to reactivate the license under the COVID waiver. Dr. Hill disclosed that he is currently under a disciplinary order in Washington with terms that involve completion of CE and a period of two years wherein he shall be subject to unannounced inspections at his office.

Dr. Hill reported that he has made several changes to his practice to keep client information confidential including converting to an electronic records system and securely locking up records in a closet only accessible by staff. Dr. Mellott emphasized the importance of keeping records confidential. Dr. Hill stated that the complaint related to having more than one patient's record on his desk while another individual was in his office being reviewed. He clarified that when the investigator presented to his office for an unannounced site visit, he was not seeing patients that day and had several patient files on his desk while doing dictations and filing. Dr. Hill confirmed that he is currently not practicing in Arizona.

Dr. Mellott stated that the behavior appears to have been addressed by the Washington Board, including a fine levied against Dr. Hill. Dr. Mellott spoke in favor of granting the license renewal and reactivation, and she suggested that Dr. Hill inform the Arizona Board in the event that he plans to practice in Arizona prior to termination of the Washington Board's Order. AAG Galvin clarified for the Board that licensees are required to report administrative disciplinary matters at the time of license renewal.

**MOTION: Dr. Mellott moved for the Board to grant the license renewal and reactivation, and instructed Dr. Hill to inform the Board in the event that he plans to practice in Arizona prior to the termination of his Washington Board's Order.**

**SECOND: Mr. Dynar**

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

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

**MOTION PASSED.**

## **16. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CONSTITUTIONAL IMPLICATIONS OF REQUIRING CONTINUING EDUCATION (“CE”) IN DIVERSITY**

This item was considered around 11:35 a.m.

AAG Galvin reported that this issue was raised at the Board’s last meeting and request was made for an informal AG opinion. She stated that based on her legal analysis, requiring licensees to complete some portion of CE in the topic of diversity does not violate the Arizona Constitution. Dr. Meier emphasized the importance in the wording used and spoke in favor of utilizing “multicultural counseling competency” which he stated would include diversity as well as multiculturalism for individuals to learn how to work with people different than themselves.

Mr. Dynar thanked the AAG for her analysis and stated his concerns that allowing licensees to submit CE credits in this area is different from requiring them to obtain CE in this specific area. Mr. Dynar stated his objections to requiring licensees to obtain CE credits in this area for maintenance of licensure. Dr. Mellott stated that it is incumbent upon psychologists to ensure that they are evolving in an increasingly diverse society and need to be trained to work in a culturally responsive manner. She spoke in support of proceeding with requiring CEs in this area and stated that doing so informs the public and regulated community that the Board cares about these matters and values this training. Dr. Meier spoke in support of requiring these CEs and stated that every psychologist needs this training. Dr. Gill stated that he supported making this a requirement, and Dr. Caterino

The Board discussed whether to require CEs in diversity versus multicultural competency. Executive Director Herbst Paakkonen clarified that the minutes from the Board’s prior meeting reflect a motion to designate 4 CE hours in the subject of multicultural competency content. Dr. Caterino proposed including both subjects. Chairwoman Davis-Wilson stated her concerns that the topic of multiculturalism does not include other marginalized communities that are not commonly seen as cultures. She spoke in favor of using the term “diversity” as it is broader and would include cultural competency. Ms. Shreeve proposed returning this matter to the Board’s next meeting with direction on what would qualify as diversity CE. The Board also instructed Board staff to contact Evelyn Burrell, Psy.D., AzPA President Elect, and Jessica Belokas, BCBA, to also provide input. Ms. Shreeve suggested reaching out to the regulated community as well to request their feedback. Dr. Mellott pointed out that the rule writing process includes a public comment phase that will allow the regulated community to provide feedback.

## **17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON EXECUTIVE ORDER 2021-02 REQUIREMENT TO REVIEW WAIVED AND SUSPENDED RULES DURING PUBLIC HEALTH STATE OF EMERGENCY FOR COVID-19, AND IMPACTS OF THE SAME**

This item was considered around 11:56 a.m.

Executive Director Herbst Paakkonen reported that the Governor’s Office issued this directive through the auspices of an Executive Order and requires the Board to identify waivers or suspended requirements that became effective during the pandemic that should remain in place after the state of emergency has concluded.

The Board discussed the requirement under R4-26-110 relating to providing psychological services through telepractice and observed that the passing of HB2454 may make this moot as it will significantly expand telepractice and remove a number of restrictions that the Board has in place. The consensus of the Board was to continue this particular waiver after the expiration of the state of emergency.

The Board discussed the six month CE extension. Executive Director Herbst Paakkonen reported that the Agency has approved 17 such waivers in the past year and stated that the extensions may not be needed after the lifting of the emergency. The consensus of the Board was to allow this waiver to terminate at the time that the state of emergency is terminated.

The Board discussed the waiver related to the suspension of time limitations on telesupervision and telepractice. Dr. Caterino noted prior limitations on telesupervision to no more than 50% of the supervision hours. Dr. Meier reported that the Board's Rules Committee discussed the Board considering removing the limitations on telepsychology including supervision as it increases access to quality supervision in remote locations. Dr. Meier recognized that COVID has caused psychologists to shift their practices and become more technologically competent with working remotely. He suggested continuing this waiver with the goal of eliminating any percentages pertaining to in-person versus telehealth. The consensus of the Board was to continue this waiver after the expiration of the state of emergency.

The Board discussed the waiver authorizing the Executive Director to approve requests for extension for time to take the examination. Executive Director Herbst Paakkonen reported that she has approved 32 such requests and that it was unclear how soon the testing sites will return to in-person sessions without restriction. The consensus of the Board was to continue this waiver after the expiration of the state of emergency.

The Board discussed the waiver relating to extensions pertaining to licensing time frames that was implemented in anticipation of challenges relating to the administrative and applicant response time frames due to the pandemic. Executive Director Herbst Paakkonen reported that staff continued to struggle with keeping up with the time frames and she asked the Board to continue the waiver.

Chairwoman Davis-Wilson stated that the CBA was concerned regarding the continuation of the BACB's deviation from the requirement for observations with a client certification as it may impact future applicants' competency.

#### **18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF THE COMMITTEE ON BEHAVIOR ANALYSTS ("CBA") FOR FORMATION OF APPLICATION EFFICIENCIES WORKGROUP**

This item was considered around 8:14 a.m.

Chairwoman Davis-Wilson summarized that the Board has seen substantial growth in Behavior Analyst applications over the last couple of years. She stated that not all states license Behavior Analysts and that due to the variances across the different states, Behavior Analyst applicants appear to struggle with the basics on how to fill out the Board's application. Chairwoman Davis-Wilson reported that staff has been addressing administrative inefficiencies and have observed inefficiencies in the applicants that may be resolved in the development of job tools. She reported that the CBA recently met with stakeholders and discussed concerns relating to delays in application reviews and recommended development of an ad hoc committee to help develop job tools for Behavior Analysts to further support applicants in their needs and also reduce the workload for Board staff. Ms. Shreeve stated that this was a great idea and spoke in support of establishing such a committee.

**MOTION: Vice-Chairman Davey moved for the Board to accept the CBA's request to form an application efficiencies workgroup.**

**SECOND: Ms. Shreeve**

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

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

**MOTION PASSED.**

#### **19. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING FUTURE TERMINATION OF TEMPORARY LICENSES GRANTED PURSUANT TO §32-3124, AND TEMPORARY LICENSE EXEMPTIONS AUTHORIZED BY BOTH A.R.S. § 32-2075(A)(4) AND BY A.R.S. § 32-2091.08(4)**

This item was considered around 12:16 p.m.

Executive Director Herbst Paakkonen asked the Board to consider whether A.R.S. §§32-2075(A)(4) and 32-2091.08(4) applied to temporary licenses granted under A.R.S. § 32-3124 to allow for a specific period of time following the lifting of the state of emergency in order to promote the transition or conclusion of patient care. She stated that there are around 500 temporary license holders who were granted privilege to practice. She stated that it is unclear whether those individuals used a portion of the exemption time prior to obtaining temporary licensure, and she asked the Board to consider whether that time must be shared from prior to and after expiration of the temporary license versus starting a new 20 day exemption after expiration of the temporary license. Dr. Meier spoke in favor of granting the full 20 day exemption after expiration of the temporary license regardless of whether the individual used a portion of the exemption time prior to obtaining a temporary license.

**MOTION: Dr. Meier moved for the Board to allow for temporary license exemptions after the expiration of the temporary license to allow for psychologists and behavior analysts to practice for an additional 20 days.**

**SECOND: Chairwoman Davis-Wilson**

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

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

**MOTION PASSED.**

## **20. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING STATUS OF VACANT POSITION ON BOARD**

This item was considered around 1:03 p.m.

Executive Director Herbst Paakkonen reported that she reached out to the Governor's Office for an update or projection relative to the vacant position on the Board and attempted to impress upon them the need to have another psychologist member appointed soon. She stated that the response she received indicated that the Board's composition is not perceived as a concern at this time and that it should be able to function with its nine members while they work on member appointments. Ms. Shreeve questioned the Board's recourse if a member has exhibited a pattern of consistently missing the meetings. Executive Director Herbst Paakkonen confirmed that Ms. Laboy's appointment to this Board remains in effect.

The Board discussed expressing the quorum issues in more detail to the Governor's Office to emphasize the need to fill the vacant position as well as presenting data and documented affect the member vacancy has had on the Board. Ms. Shreeve stated her concerns regarding one member consistently missing meetings and affecting an entire group from being represented on the Board. Executive Director Herbst Paakkonen informed the Board that there are psychology candidates that have applied to serve on the Board and stated her appreciation for AzPA's assistance with helping in this process.

*Dr. Caterino departed from the meeting around 1:15 p.m.*

## **21. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING ASPPB CALL FOR AWARD NOMINATIONS**

This item was considered around 1:15 p.m.

- a. State-Provincial Service Award Nomination**
- b. Norma P. Simon Award Nomination**
- c. Ming Fisher Award Nomination**
- d. ASPPB Fellow Nomination**

Executive Director Herbst Paakkonen reported that there were nominations to offer at this time and asked the Board whether there were any nominations they wished to put forward. There were no nominations offered by

any of the Board members.

**22. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PROPOSED LEGISLATION INCLUDING, BUT NOT LIMITED TO, SB1253, HB2067, HB2128, HB2243, HB2267, HB2433, HB2454, HB2561, SB1482**

This item was considered around 1:16 p.m.

The Board observed that HB2067 involving criminal convictions and certificates of second chance has been signed by the Governor and will soon become effective.

The Board observed that HB2267 involving the requirement for agencies to annually review its revenue and adjust fees such that the fund balance is maintained at 50% of the agency's appropriation has passed the House but may have been stalled in the Senate due to the potential impact to the General Fund.

The Board observed that HB2454 involving telehealth has been amended and is making progress through the legislative process. The Board noted that if passed, a registry would be created for out of state individuals who hold psychology licensure to register and practice into Arizona via telehealth. Executive Director Herbst Paakkonen stated that given the Board's recent vote to pursue Thentia's product, she had no concerns regarding the implementation of such a registry. Chairwoman Davis-Wilson stated her concerns regarding the bill not applying to Behavior Analysts and the potential impact it may have on access to care in rural environments. Executive Director Herbst Paakkonen reported that she would research this issue and report back to the Board.

The Board observed that HB2561 involving PCSAS accreditation modification to statute has been progressing through the legislative process and appears to be on its way to passing.

The Board observed that SB1063 involved administrative review of final agency decisions wherein the respondent has requested trial de novo, the request shall be granted.

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

This item was considered around 1:28 p.m.

Executive Director Herbst Paakkonen reported that the staff is awaiting direction from the Governor's Office or AzDHS regarding resuming in-person sessions. She stated that the different boards are trying to figure out augmenting technology in the building in order to facilitate hybrid meetings.

**24. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION BY WAIVER FROM HEATHER L. DEGROTE, PSY.D.**

This item was considered around 10:50 a.m.

Dr. Mellott summarized that Dr. Degrote applied for licensure by waiver after passing EPPP, that the application appeared to be complete and the applicant met the requirements for licensure.

**MOTION: Dr. Mellott moved for the Board to approve the application by waiver from Dr. Degrote.**

**SECOND: Ms. Shreeve**

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

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

**MOTION PASSED.**

**25. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR TEMPORARY LICENSURE AND EPPP FROM MICHAEL L. WOODWARD, PH.D.**

This item was considered around 10:53 a.m.

Dr. Mellott was recused from this item.

Dr. Caterino summarized that the application was complete and that this matter was forwarded for the Board's review due to a lack of a quorum at the Committee.

**MOTION: Dr. Caterino moved for the Board to approve the application for temporary licensure and EPPP for Dr. Woodward.**

**SECOND: Ms. Shreeve**

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

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

**MOTION PASSED.**

**26. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR EPPP ONLY FROM JENNIFER TSCHETTER, PH.D.**

This item was considered around 9:05 a.m.

Dr. Tschetter and Attorney Mandi Karvis participated in the virtual meeting during the Board's consideration of this matter.

Dr. Mellott summarized that Dr. Tschetter has applied to sit for EPPP only wherein she made a number of disclosures on her application. She stated that the committee recommended forwarding this matter for the full Board's review due to the recency of the event.

**MOTION: Dr. Caterino moved for the Board to enter into Executive Session to discuss confidential health related information and to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(2) and (3).**

**SECOND: Dr. Mellott**

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

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

**MOTION PASSED.**

The Board entered into Executive Session at 9:08 a.m.

The Board returned to Open Session at 9:24 a.m.

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

Dr. Meier commented that another psychological evaluation was not warranted given that the event occurred in 2017 and there have been no other issues reported since that time. He stated that based on his review of the information, it appeared Dr. Tschetter has been compliant. Dr. Gill stated that he agreed the applicant has met all requirements and recognized that the incident occurred over three years ago.

**MOTION: Dr. Meier moved for the Board to approve the application to sit for EPPP.**

**SECOND: Dr. Gill**

AAG Galvin clarified that the motion implied that the Board was taking no action on the report.

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

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

**MOTION PASSED.**

**27. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR TEMPORARY LICENSURE AND EPPP FROM HYDIE L. HENSON DIGIOVANNI, PSY.D.**

This item was considered around 10:51 a.m.

Dr. Mellott summarized that Dr. Digiovanni changed her application for EPPP to an application for temporary licensure and EPPP, that the application appeared to be complete and she spoke in favor of approval.

**MOTION: Dr. Mellott moved for the Board to approve the application for temporary licensure and EPPP from Dr. Digiovanni.**

**SECOND: Ms. Shreeve**

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

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

**MOTION PASSED.**

**28. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR EPPP ONLY FROM JOHN CZAPLEWSKI, PSY.D. AND CONCERNS REGARDING INITIAL POSTDOCTORAL TRAINING PLAN PROVIDED FOR TEMPORARY LICENSE APPLICATION**

This item was considered around 9:30 a.m.

Dr. Czaplewski participated in the virtual meeting during the Board's consideration of this matter.

The Board discussed tabling this matter until Dr. Czaplewski's clinical psychology supervisor, John Mather, Ph.D., would be available to participate in the discussion. Dr. Mellott pointed out that the Board received correspondence from Dr. Czaplewski that included a letter from Dr. Mather, and she questioned whether the Board needed to hear from him prior to proceeding with this application.

Dr. Caterino summarized that Dr. Czaplewski applied for temporary licensure and EPPP, and submitted a training plan that listed Josh Smith, Psy.D., as his supervisor at Horizon Educational and Psychological Services. Dr. Czaplewski subsequently changed his request to just taking the EPPP, indicated that the training plan was for his school psychologist certification, and clarified that his postdoctoral supervision was being conducted by Dr. Mather with Arizona Neuropsychology Center. Dr. Caterino that there was some confusion with the information submitted, including the applicant's report of having completed the required 2,000 internship hours while the supervisor reported completion of only 1976.5 hours.

Dr. Czaplewski stated that he is working towards becoming a certified school psychologist, that he accidentally listed his training under Dr. Smith on his clinical psychologist application and had no intention of being deceitful. He reported that his postdoctoral supervision is taking place under Dr. Mather at Arizona Neuropsychology Center certain days of the week while also working with Dr. Smith in the school system. In response to Dr. Caterino's questioning related to the hours discrepancy, Dr. Czaplewski explained that he received a waiver for the 25 hour discrepancy due to COVID and his internship was deemed completed. He also clarified that the agreement he signed with Dr. Mather was for one year with an average of 40 hours per week.

Chairwoman Davis-Wilson stated that the training agreement also appeared to be an employment agreement with hours and salary listed. She also questioned whether Dr. Smith was licensed in Arizona. Dr. Caterino stated that Dr. Smith was certified by the Department of Education and questioned whether he was performing psychological and neuropsychological evaluations without a licensed psychologist on staff. Chairwoman Davis-Wilson stated her concerns regarding a possible title violation in that the agreement for Dr. Smith and the applicant appeared to include services that would apply to the practice of psychology by a non-licensed individual.

Dr. Mellott spoke in favor of tabling this matter until such time that Dr. Mather could participate in the discussion to help clarify some of the confusion, and she stated her concerns that Dr. Smith may be serving as a supervisor for individuals seeking a license when such supervision would not qualify towards licensure. Dr. Caterino stated her concerns that the work being done at Horizon was listed as psychological or neuropsychological with no psychologist performing or supervising them. Chairwoman Davis-Wilson spoke in support of tabling this matter until such time that Dr. Mather could join the discussion, either today or at the Board's next meeting.

*The Board recessed from 9:56 a.m. to 10:10 a.m.*

The Board returned to this matter around 12:21 p.m. and Dr. Czaplewski and Dr. Mather participated in the virtual meeting.

In response to Dr. Caterino's questioning, Dr. Mather explained that he was overseeing Dr. Czaplewski postdoctoral work. He stated that he is also overseeing Dr. Czaplewski training that is taking place under Dr. Smith on school campus setting. He clarified that Dr. Czaplewski is currently participating in a single postdoctoral internship at this time while presenting to both sites. Dr. Mather reported that he does not co-sign reports for evaluations conducted at the school and explained that there are some weeks where the applicant worked less than 40 hours while other weeks he may work in excess of 40 hours, which he stated all average out to around 40 hours per week. Dr. Gill stated his concerns regarding balancing the weekly hours as well as issues relating to the discrepancy the reports of hours worked. In response to Dr. Meier's questioning, Dr. Mather confirmed that he takes clinical responsibility for the services being provided by Dr. Czaplewski and that he has access to records at the school.

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

**SECOND: Dr. Meier**

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

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

**MOTION PASSED.**

The Board entered into Executive Session at 12:35 p.m.

The Board returned to Open Session at 12:39 p.m.

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

Dr. Meier stated that while the contracts were not clear, he did not find any type of violation by using a school psychologist for some of the supervision. He stated that a licensed psychologist is required to take clinical responsibility for all services provided by the applicant, which Dr. Mather has confirmed in this matter for Dr. Czaplewski. Dr. Caterino stated that there did not appear to be any record to show that Dr. Mather reviews all of Dr. Czaplewski's work at the school since he does not sign those reports. She questioned how parents are being informed that Dr. Mather is the applicant's supervisor. Chairwoman Davis-Wilson questioned whether the parents had access to Dr. Mather for any questions or concerns. Dr. Meier stated that the training plan is not clear on those issues, and stated that the parents should be informed through the consent process that the applicant is under the supervision of Dr. Mather as well as the pathway to reach him.

Dr. Gill agreed that the training plan was not appropriately articulated and has caused a lot of confusion in this matter, and stated his concerns regarding the hours reported. Dr. Meier commented that the hours are typically treated as an average since it has been an issue on the majority of applications reviewed. Dr. Caterino stated it was her understanding that the hours could not be averaged out, and Dr. Gill stated it was confusing which hours applied to the two different programs happening simultaneously. Ms. Shreeve questioned how to reconcile the discrepancies with the information discussed today in order to move forward. The Board discussed requesting the applicant to submit a new training plan that is clear and to suggest that Dr. Mather co-sign the reports from the school as it would resolve a lot of the conflict and would clarify the supervision concerns. Dr. Meier stated that he did not believe Dr. Mather was required to sign the reports from the evaluations occurring under Dr. Smith. Chairwoman Davis-Wilson commented that having Dr. Mather sign those reports may be best practice, but cannot be mandated by the Board as a requirement.

Chairwoman Davis-Wilson stated her concerns regarding the possible title violation by Dr. Smith as well as concerns relating to the types of services being conducted by Horizon by Dr. Smith. She stated that the documentation submitted in this matter clearly indicates that Dr. Smith was providing supervision for the individual to apply towards licensure in Arizona. Dr. Caterino stated her concerns regarding the website listing services for psychology and neuropsychology without a licensed psychologist on staff.

**MOTION: Chairwoman Davis-Wilson moved for the Board to open a complaint for potential title violation against Dr. Smith for practicing without a license.**

**SECOND: Ms. Shreeve**

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

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

**MOTION PASSED.**

The Board discussed requesting the applicant to submit a revised training plan, as well as instructing staff to provide the applicant with a copy of the Board's policy regarding what is required of a postdoctoral training plan.

**MOTION: Chairwoman Davis-Wilson moved for the Board to instruct staff to request the applicant provide a revised training plan that includes how supervising is occurring, how the hours are being counted, and to included documentation relative to how clients are being informed that the applicant is under the supervision of Dr. Mather. Additionally, the Board staff shall provide the applicant a copy of the Board's policy relating to what is required to be included in a postdoctoral training plan.**

**SECOND: Ms. Shreeve**

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

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

**MOTION PASSED.**

## **29. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR BEHAVIOR ANALYST LICENSURE FROM MELISSA HARRISON, M.S. AND POSSIBLE ALLEGATIONS OF SUPERVISING WITHOUT A LICENSE**

This item was considered around 10:55 a.m.

Chairwoman Davis-Wilson was recused from this matter. Ms. Harrison participated in the virtual meeting during the Board's consideration of this matter.

Vice-Chairman Davey noted that this matter was not reviewed by the Committee on Behavior Analysts ("CBA") and proposed referring this matter to the CBA for review and recommendation back to the Board. He

stated his concerns regarding the admission to having practiced without a license and that such practice has affected the supervision hours for seven individuals who have applied for licensure. Dr. Mellott agreed with the Vice-Chairman's comments and stated that review by the CBA was warranted. Ms. Shreeve also spoke in support of forwarding this application for the CBA's review and recommendation to the Board.

**MOTION: Ms. Shreeve moved for the Board to refer this application to the Committee on Behavior Analysts for review and recommendation back to the Board.**

**SECOND: Dr. Mellott**

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

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

**MOTION PASSED.**

### **30. NEW AGENDA ITEMS FOR FUTURE MEETINGS**

### **31. ADJOURNMENT**

**MOTION: Ms. Shreeve moved for adjournment.**

**SECOND: Dr. Meier**

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

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

**MOTION PASSED.**

The Board's meeting adjourned at 1:30 p.m.

Respectfully submitted,



Matt Meier, Psy.D.  
Secretary