



STATE OF ARIZONA
BOARD OF PSYCHOLOGIST EXAMINERS
1740 W. ADAMS STREET, SUITE 3403
PHOENIX, ARIZONA 85007
PH: 602-542-8162 FX: 602-926-8095
WEBSITE: www.psychboard.az.gov

DOUGLAS A. DUCEY
Governor

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

Regular Session Minutes

February 13, 2020 – 7:45 a.m.
1740 W. Adams St.
Boardroom C (1st Floor)
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Madame Chair Shreeve at 7:46 a.m. on February 13, 2020. No Executive Sessions were held.

2. ROLL CALL

Board Members Present:

Tamara Shreeve, MPA – Chair
Diana Davis-Wilson, DBH, BCBA, Ph.D. – Vice-Chair
Lynn L. Flowers, Ph.D. – Secretary (*telephonic*)
Bob Bohanske, Ph.D., FNAP
Stephen Gill, Ph.D.
Matthew A. Meier, Psy.D. (*telephonic*)
Ramona N. Mellott, Ph.D. (*telephonic*)

Board Members Absent:

Bryan Davey, Ph.D., BCBA-D
Aditya Dynar, Esq.
Ramona Mellott, Ph.D.

Staff Present

Heidi Herbst Paakkonen, Executive Director
Jennifer Michaelsen, Deputy Director
Kathy Fowkes, Licensing Specialist
Krishna Poe, Programs and Projects Specialist

Assistant Attorney General

Jeanne Galvin, Esq.

3. REMARKS/ANNOUNCEMENTS

- **Board Surveys**

Madame Chair Shreeve encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the survey box.

- **CE Documentation for Licensee Attendance at Board meetings**

Madame Chair Shreeve announced that licensees could receive CE credits in Ethics for attendance at Board meetings and advised to see staff for instructions on how to obtain credit.

- **Board Member and Staff Appreciation**

Madame Chair Shreeve acknowledged and thanked Board members and staff for their efforts preparing for this and other recent meetings, noting the recent increase in the Board's regulatory workload. She stated her appreciation for everyone's commitment to protecting the public.

4. **CALL TO THE PUBLIC**

Ms. Bianca Buono, reporter for Channel 12 News, addressed the Board citing an investigation she is conducting concerning psychologists performing independent medical examinations. Ms. Galvin advised the Board that it cannot answer the questions posed or otherwise address this matter as it is not properly placed on this meeting agenda. The Board members agreed to place this matter on a future agenda for discussion and will notice Ms. Buono of that fact.

5. **COUNSEL UPDATE – Ms. Galvin**

Ms. Galvin advised the Board that Dr. John DenBoer previously filed an action in Arizona Superior Court challenging the Board's jurisdiction to investigate complaints arising from the court claims process. She reminded the members that Dr. DenBoer's position is that the Board improperly applied the new statute prescribing the claims process, and that the Board lacks authority to investigate the allegations. She informed the Board that it prevailed in the matter in Arizona Superior Court, and Dr. DenBoer appealed that decision to the Arizona Court of Appeals. Ms. Galvin informed the Board that this Court very recently affirmed the lower court's decision and the Board therefore prevailed again. She stated that she is not yet certain whether Dr. DenBoer will file an appeal; if he does not the complaint will proceed through the established investigative and adjudication processes.

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

Dr. Davis-Wilson stated for the record that she is recused from consideration and action on the Consent Agenda matters concerning Amy-Lee Schanck, Jennifer Santoemma, and Karalyn Semenchuk. Due to a lack of quorum no action was taken on these three applications.

A. APPROVAL OF MINUTES

- 1) January 10, 2020 Regular Session
- 2) January 10, 2020 Executive Session 12:42 p.m.

B. EXECUTIVE DIRECTOR'S REPORT

C. DISCUSSION/DECISION REGARDING PSYCHOLOGIST APPLICATIONS

Requesting Approval to Sit for Examination (EPPP) & Licensure

- 1) Deborah A. Richardson, Ph.D.
- 2) Dino Alihodzic, Psy.D.
- 3) Gilbert Jew, Ph.D.
- 4) Kristen Ferrara, Psy.D.
- 5) Naudia Renae Moorley, Psy.D.

Requesting Approval for Licensure by Waiver

- 1) Lauren C. Taveras, Psy.D.

Requesting Approval of Supervised Hours for Licensure

- 1) Sylvia Lizette Lares, Psy.D.

Requesting Approval of Temporary Licensure and to Sit for EPPP

- 1) Matthew J. Coldagelli, Psy.D.
- 2) Megan E. Ford, Ph.D.

Requesting Approval for Licensure by Credential

- 1) Bertrand Levesque, Ph.D.
- 2) Eugene Herrmann, Ph.D.
- 3) Kirsten Milliken, Ph.D.
- 4) Wendy Michelle Spender, Psy.D.
- 5) Yolanda Doria Segal, Psy.D.

Requesting Approval for Licensure by Universal Recognition

- 1) Allison Rose Coelho, Psy.D.
- 2) Mark Z. Shobin, Ed.D.

D. DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- 1) Amy-Lee Schanck, M.Ed.
- 2) Charissa L. Devlin, M.Ed.
- 3) Cristina M. Fauste, M.A.
- 4) Eric Sam Harris, M.Ed.
- 5) Gabriela Rothleutner, M.S.
- 6) Holland Faith Thompson, M.Ed.
- 7) Jennifer Santoemma, M.Ed.
- 8) Julie S. Martin, M.A.
- 9) Kathryn Lynn Sacco, M.S.
- 10) Kelsey Lee Anderson, M.S.
- 11) Kirsten Elizabeth Murphy, M.Ed.
- 12) Lauren Daily, M.A.
- 13) Liam O. Hagarty, M.S.
- 14) Megan Bluemke, M.A.
- 15) Nicole Rogers, M.S.
- 16) Stephanie Jane Miller, M.Ed.

E. DISCUSSION, CONSIDERATION AND ACTION REGARDING FIRST EXTENSION REQUEST FROM KELLE L. C. WATSON-ENGLISH, PSY.D.

F. DISCUSSION, CONSIDERATION AND ACTION REGARDING FIRST EXTENSION REQUEST FROM ELIZABETH A. JOHNSON-HESTON, PSY.D.

G. DISCUSSION, CONSIDERATION AND ACTION REGARDING SECOND REQUEST TO RE-TAKE THE EPPP FROM AVILIO A. VIEIRA, PSY.D., TEMPORARY LICENSE NO. TL-24.

H. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR REACTIVATION OF INACTIVE LICENSE FROM DANNY ROSENBAUM, PH.D.

- I. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR REACTIVATION OF INACTIVE LICENSE FROM KARALYN SEMENCHUK, M.ED.**
- J. DISCUSSION, CONSIDERATION AND ACTION REGARDING EXTENSION REQUEST TO SIT FOR THE EPPP FROM ASHEEKI ELMORE, PSY.D.**
- K. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR REACTIVATION OF INACTIVE LICENSE FROM JILL BAILLIO, PH.D.**
- L. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REINSTATEMENT REQUEST FROM VANESSA STAPLES, PH.D.**
- M. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING SECOND RETAKE REQUEST FROM MICAELA REECE-WILLIAMS, PSY.D., TEMPORARY LICENSE NO. PSY-T-000015**

MOTION: Dr. Bohanske moved to approve the items as listed on the Consent Agenda. Dr. Flowers seconded the motion.

VOTE: The motion carried 6-0.

Ms. Galvin advised the Board that Gabriela Rothleitner appears on the Consent Agenda at D.5 but the matter concerning her appears elsewhere on the agenda and needs to be addressed accordingly. She further advised the Board to rescind the vote specific to how she appears on the Consent Agenda.

MOTION: Dr. Davis-Wilson moved to rescind the Consent Agenda action taken specific to Gabriela Rothleitner's application. Dr. Flowers seconded the motion.

VOTE: The motion was approved 6-0.

TIMED ITEM – 8:00 A.M.

- 7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION CONCERNING REQUEST FOR 30-DAY EXTENSION FOR CAROL GANDOLFO, PH.D. LICENSURE DENIAL HEARING PURSUANT TO A.R.S. §41-1092.05**

Agenda item 7 was tabled due to a lack of a quorum of members and will be placed on a future agenda.

- 8. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION CONCERNING REQUEST FOR POSSIBLE STAY OF LICENSURE DENIAL FOR CAROL GANDOLFO, PH.D. IN LIGHT OF SB1212**

Agenda item 8 was tabled due to a lack of a quorum of members and will be placed on a future agenda.

- 9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REQUEST FOR TEMPORARY STAY REGARDING INFORMATION RECEIVED ON DR. CAROL GANDOLFO, PSY.D.**

Agenda item 9 was tabled due to a lack of a quorum of members and will be placed on a future agenda.

TIMED ITEM – 8:30 A.M.

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEWS OF THE FOLLOWING COMPLAINTS

a) **Complaint No. 20-22 Joshua Kellison, Ph.D.**

Dr. Davis-Wilson summarized the complaint, noting that complainant J.B. began seeing Dr. Kellison in October of 2019 and that, according to J.B., the intake paperwork sent by Dr. Kellison was confusing. Dr. Davis-Wilson noted the complainant advised Dr. Kellison that she did not want her parents involved in any aspects of her treatment with the only exception being the treatment invoices, however when J.B. elected to terminate her care and approached her parents to inform them of that fact, she learned Dr. Kellison had already notified them in a voicemail of her decision. The Complaint Screening Committee (CSC) voted to forward the complaint to the Board, and in doing so requested Dr. Kellison provide clarifying information concerning his policies and his patient communications.

The complainant J.B. was not present. Dr. Kellison was present with his attorney, Faren Akins, Ph.D., Esq. Dr. Akins advised the Board that it is their understanding the allegations heard by the CSC were laid to rest but indicated that Dr. Kellison is bringing additional clarifying information for the Board's consideration. Dr. Kellison explained to the Board that he sees his role as conducting a comprehensive intake evaluation of his clients. He indicated he has implemented some changes to his documentation processes and has supplied an example of how he has made some improvements to his forms and requirements. Dr. Kellison stated that he is committed to practicing ethically. In response to the Board's questions concerning his notations made on the release of information form completed by J.B., he stated that he would now have the client initial the notation that he had recorded. He also acknowledged he sees opportunities to refine the language on the release form he uses as he now realizes it may not be easily understood. Dr. Kellison explained that he has reached out to other experts to obtain guidance on best practices for improving his intake forms, and he intends to develop and implement more comprehensive forms going forward which would include detailing what is involved with "coordination of care". In response to Board questions, Dr. Kellison clarified his practice as it relates to receiving reports from patients of emergencies and his availability to respond to them. The members discussed concerns relative to the completeness of the documentation, and also the possible breach of confidentiality concerning the client's status of care. Dr. Kellison explained that after receiving the client's notification sent by text message terminating her care, he left a voicemail message for the parents stating only that the care was terminated. He stated he is changing this practice based on guidance he is obtaining from a colleague he considers to be an expert.

The Board members discussed the fact that the allegations and concerns don't relate to the actual care provided, but give rise to concerns of possible substandard documentation. The Board further discussed that improving the intake documentation and forms – in particular the confidentiality terms and the coordination of care components – are critical going forward to better ensure the clients understand their terms. The Board acknowledged such improvements will not only benefit the clients, but also the treating psychologist. The members debated whether a breach in confidentiality actually occurred.

MOTION: Dr. Davis-Wilson moved to issue a Letter of Concern as a final disposition for this matter in lieu of moving to an informal interview. The motion included that the Letter of Concern address Dr. Kellison's documentation with respect to the lack of clarity of the release of information terms, ensuring that the documentation fully reflects the client's informed consent at the onset of care and prior to any other client communications, his use of the term "evaluation" to describe his intake process, his use of rough draft notes as opposed to formal documentation, and all documentation reflects informed consent on the onset of care. Dr. Flowers seconded the motion. Dr. Gill offered a friendly amendment to issue a non-disciplinary continuing education order to complete 6 contact hours within 6 months from the effective date in the content areas of record-keeping and documentation, patient confidentiality, and informed consent. Dr. Davis-Wilson accepted the amendment to the motion and Dr. Flowers affirmed his seconded.

DISCUSSION: Ms. Galvin clarified that if the motion is passed, it results in adjudicating the complaint with a Letter of Concern and the non-disciplinary continuing education order. If not accepted by Dr. Kellison, this matter will be placed on a future meeting agenda to discuss how it will be adjudicated going forward.

VOTE: The motion was approved by a vote of 5-1.

b) Complaint No. 20-15 Gregory Waugh, Psy.D.

Dr. Flowers summarized the complaint filed by A.A. which alleges that following Dr. Waugh's retirement from the Arizona Department of Corrections (ADC) as a sex offender treatment provider at the all-women Perryville prison in Goodyear, Arizona, Dr. Waugh offered temporary residence in his home to R.R., an inmate of the prison and enrollee in sex offender treatment with the ADC, upon her release. Dr. Flowers noted the CSC expressed concerns that Dr. Waugh maintained contact with a former client and that he offered her housing at his personal residence. Dr. Flowers advised the Board that Dr. Waugh appeared before the CSC and admitted to having made the offer for R.R. to temporarily live at his home only because he is aware of the difficulties that sex offenders have in reintegrating into society.

Dr. Waugh was present for the review and acknowledged to the Board the optics of inviting a sex offender to temporarily reside in his personal residence, but stated that this isn't the kind of judgment this Board should be addressing. Dr. Waugh further stated to the Board that he has taken corrective action and assured the Board that this type of conduct will never occur again. He reiterated that female offenders are particularly vulnerable and underserved; he extends the opportunity to contact him through the U.S. Mail for reasons such as referrals to post-release support services, and that his former supervisors were aware of this practice. Dr. Waugh acknowledged it wasn't in his job description to provide them with support, but in his experience former inmates frequently have no place to go and he saw opportunity to offer some assistance. In response to Board questions, he indicated he now only supplies his phone number to former inmates for purposes of emergency contact. When asked to justify how he could perceive his conduct to fall outside of the boundaries of providing a therapeutic relationship and whether a power imbalance could be perceived, he said that in this instance he was no longer serving in a therapeutic role and did not see any concerns at the time. Dr. Waugh acknowledged that he can now see how that would be potentially problematic. The Board noted that the American Psychological Association (APA) Ethical Principles of Psychologists and Code of Conduct (Code) used to stipulate a 2-year time frame limit to establishing a personal relationship with former clients, but it has been revised to simply advise avoiding relationships with former clients. The Board members noted that these ethical boundaries appear to have been crossed.

The Board members discussed the case, recognizing that while there may be temptation on the part of a psychologist to assist clients with challenges, there are boundaries that are established for a reason and that motivations can be questioned. The members discussed that it could be perceived that services were not concluded, but they entered into a different phase. The APA Code sections 3.04 (Avoiding Harm) and 3.05 (Multiple Relationships) were reviewed and the discussion reflected that Dr. Waugh's behavior could be construed as grooming in nature.

MOTION: Dr. Flowers moved to forward the case to an informal hearing for a possible violation of A.R.S. §32-2061(16)(dd), violating an ethical standard adopted by the Board concerning sections 3.04 (Avoiding Harm) and 3.05 (Multiple Relationships) of the APA's Code of Conduct. Dr. Meier seconded the motion.

VOTE: The motion was approved 6-0.

c) Complaint No. 20-18 Ashley Hart, Ph.D.

This complaint was tabled due to a lack of quorum of members.

e) Complaint No. T-20-01 Carol Jernigan, Psy.D.

Ms. Shreeve summarized the complaint, stating that the complainant S.M. is a former acquaintance of Dr. Jernigan's who alleges Dr. Jernigan claimed to be a licensed psychologist during a 2015 interview with law enforcement. Ms. Shreeve noted Dr. Jernigan currently provides counseling services at Grossman & Grossman Ltd., which is a licensed agency with the Arizona Department of Health Services, but she does not hold a license in Arizona to practice as a psychologist. The investigation found that in the Staff section of the agency's website, for a period of time a description regarding Dr. Jernigan was posted that described her as conducting examinations and assessments of clients, although the description has more recently been modified to remove mention of examinations and assessments. Ms. Shreeve advised that the CSC expressed concerns that Dr. Jernigan is possibly providing psychological services and administering psychological examinations as an unlicensed person at her current employment; accordingly the CSC directed staff to subpoena Dr. Jernigan's employment records. Ms. Shreeve summarized the received records which state Dr. Jernigan is employed as a clinical therapist and is not performing work that is limited to that which only a licensed psychologist is allowed by law to perform.

The complainant S.M. was participated telephonically and addressed the Board, reiterating the concerns he raised to the CSC that Dr. Jernigan identifies herself publicly as a psychologist. Dr. Jernigan was not present. The members expressed some frustrations with the limited authority it has to restrain individuals who are not licensed psychologists from misuse of the term. The members also discussed that the investigation and other actions appear to have compelled Dr. Jernigan to modify how she represents herself to the public.

MOTION: Dr. Flowers moved to dismiss the complaint. Dr. Davis-Wilson seconded the motion.

VOTE: The motion was approved 6-0.

d) Complaint No. T-20-02 Martin Gangley

Ms. Shreeve summarized the case, noting that the complainant was anonymous and the respondent was not present. She explained that the CSC review of the complaint found that Mr. Gangley may possibly be holding himself out as a psychologist with very similar allegations as that for a 2014 complaint that came before the Board. Ms. Shreeve stated that in October 2019, Board staff received an anonymous email in which the complainant expressed concerns that Mr. Gangley was again holding himself out to be a licensed psychologist or practicing psychology without a license. She noted the investigation found that Mr. Gangley opened a business in 2019 called "High Q Behavioral Health" for which he created a website; additionally, Mr. Gangley created a National Provider Identifier (NPI) and is representing that he holds a Ph.D. in psychology and "medicine". Ms. Shreeve stated that the investigation does not establish Mr. Gangley holds the credentials he claims. She added that Mr. Gangley has not submitted a response to the allegations nor responded to Board staff's correspondence, and acknowledged that he is not present for this discussion. Board discussion noted some modifications were made to his online presence, but there are still instances where he is representing to the public that he is performing services that may amount to practicing psychology. Ms. Galvin advised the Board that the first course of action is typically a Cease and Desist notice, and that if evidence establishes that the activity addressed in the notice persists, the Board can request the Attorney General's Office pursue an injunction. The members further discussed that information obtained during the investigation may be of interested to the Arizona Medical Board as well.

MOTION: Ms. Shreeve moved to issue a Cease and Desist letter to Mr. Gangley and to forward the investigation file to the Arizona Medical Board. Dr. Flowers seconded the motion.

VOTE: The motion was approved 6-0.

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

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING SELF-REPORT SUBMITTED BY JESSICA MATUS AND RECOMMENDATION FROM THE COMMITTEE ON BEHAVIOR ANALYSTS

Ms. Michaelsen summarized the licensee's self-disclosure of a May 29, 2019 domestic violence charge and its preceding events, along with the documentation supplied by the licensee reporting the disposition of the case. She advised the Board that this matter was reviewed by the CBA on January 6, 2020 and that the Committee recommended the Board take no action. Ms. Michaelsen advised that the board may accept, deny or modify the Committee's recommendation. Ms. Matus was present by phone and thanked the Board for their understanding and compassion while she navigates the matters being discussed. In response to the Board's questions, Ms. Matus described her commitment to sustain her sobriety, and how she has removed herself from a negative environment. She stated to the Board that she has adopted an alcohol-free lifestyle and has petitioned for divorce. She noted that while she is not currently participating in a program, she has been sober for a decade. Board members expressed satisfaction that she is living a lifestyle that does not compromise her ability to practice. The members concurred that no action would be taken and therefore no motion is required.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING CONSENT AGREEMENT FOR SURRENDER OF LICENSE FOR MARK MAGIER, PSY.D. IN CASE NOS. 18-08 AND 18-33.

Ms. Michaelsen summarized the matter, stating that on March 27, 2019, Dr. Magier entered into a Consent Agreement and Order with the Board for complaint number 18-08 which stipulated his license is placed on probation for a minimum of 12 months during which time his practice is to be monitored and he must complete specific continuing education requirements. She further noted that based on information obtained during an informal interview on October 4, 2019 concerning another complaint, number 18-33, the Board moved to consolidate case 18-33 with case 18-08 and for Dr. Magier to continue with the terms of the Consent Agreement and Order. Ms. Michaelsen advised that on January 9, 2020, the Board office received a letter from Dr. Christopher Nicholls, the practice monitor, indicating Dr. Magier had not met with him for the mandated supervision since September 26, 2019 which is contrary to the Consent Agreement terms, and that he has had no further contact from Dr. Magier. Ms. Michaelsen stated that during a phone conversation with Dr. Magier on February 3, 2020, he relayed that he is no longer practicing and will surrender his license. Following this, on February 3, 2020, Dr. Magier emailed the signed Consent Agreement for Voluntary Surrender as a final disposition for cases 18-08 and 18-33. Ms. Michaelsen outlined the terms of the proposed consent agreement for the Board's consideration.

MOTION: Dr. Bohanske moved to accept the signed consent agreement and to direct staff to report the final adjudication of the matter to the National Practitioners Data Bank. Dr. Davis-Wilson seconded the motion.

ROLL CALL VOTE:

Ms. Shreeve - yes
Dr. Flowers - yes
Dr. Gill - yes
Dr. Meier - yes
Dr. Bohanske - yes
Dr. Davis-Wilson – yes

The motion was approved 6-0.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING NON-DISCIPLINARY CONSENT AGREEMENT AND ORDER NOT TO RENEW LICENSE FOR ANDRE ROUSSEAU, PH.D.

Ms. Michaelsen summarized the matter, noting that on January 13, 2020, the Board office received a complaint from an Investigator for Adult Protective Services (APS) reporting several concerns for Dr. Rousseau's physical and mental well-being. She noted that on January 22, 2020, the Board office received Dr. Rousseau's application to renew his license that was scheduled to expire on January 31, 2020, and that the application was placed on hold by Board staff due to the pending complaint. Ms. Michaelsen stated that on January 22, 2020 the Board office received copies of Incident Reports from the Show Low Police Department regarding welfare checks on Dr. Rousseau on two separate occasions in 2019. She further stated that on January 23, 2020, Board staff and Ms. Galvin called Dr. Rousseau to discuss the pending complaint, his renewal application, and his plans for practicing psychology. During the conversation, Dr. Rousseau indicated he is still practicing and estimated having 15-20 clients on his caseload for which brief therapy is provided for whom he plans to serve until approximately June of 2020. Ms. Michaelsen stated that the identified concerns were explained to Dr. Rousseau, as well as potential outcomes for the complaint. While Dr. Rousseau expressed that he did not want to abandon his clients, he verbally agreed that 30 days would allow time to transition his clients and conduct closure sessions and that he would be willing to consider a non-disciplinary consent agreement that stipulated such terms. Ms. Michaelsen outlined the terms of the consent agreement signed by Dr. Rousseau and received by the Board on February 4, 2020.

Dr. Rousseau participated telephonically and thanked the Board for working with him and for the opportunity to attend the meeting and discussion of this matter.

MOTION: Dr. Bohanske moved to accept the Consent Agreement allowing him to retire and to thank him for his years of service. Dr. Flowers seconded the motion.

VOTE: The motion was approved 6-0.

14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO THE BOARD MEMBER ATTENDANCE AT THE MIDYEAR MEETING OF THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS ("ASPPB") TO BE HELD APRIL 23-26, 2020 IN MONTREAL, QUEBEC AND POSSIBLE APPROVAL OF THE SAME

Ms. Herbst Paakkonen informed the Board that the Association of State and Provincial Psychology Boards (ASPPB) recently distributed information to member boards concerning this meeting scheduled for April 23-26, 2020 in Montreal, Quebec. She noted that the Board currently has a balance of \$3,258 remaining in the Out of State Travel budget for the remainder of the fiscal year, and presented an accounting of the estimated costs for one Board member to participate in the meeting. Ms. Shreeve described the meeting as an excellent learning opportunity, especially for new members of member boards. Dr. Bohanske stated that regulation of psychology is becoming increasingly important and attendance at this meeting is critical to acquiring essential knowledge and ensuring the Board effectively carries out its public protection mission.

MOTION: Dr. Bohanske moved to approved Dr. Gill's attendance at the meeting. Dr. Davis-Wilson seconded the motion.

VOTE: The motion was approved 6-0

15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING EXECUTIVE DIRECTOR’S ATTENDANCE AT REGULATORS MEETING AT THE ANNUAL CONVENTION OF THE ASSOCIATION OF PROFESSIONAL BEHAVIOR ANALYSTS (“APBA”) TO BE HELD MARCH 26, 2020 IN DENVER, COLORADO AND POSSIBLE APPROVAL OF THE SAME

Ms. Herbst Paakkonen advised the Board that the Association of Professional Behavior Analysts (APBA) has extended an invitation to behavior analyst regulators to attend a meeting of representatives of behavior analyst licensing boards and advisory committees to be held in Denver, Colorado the afternoon of March 26, 2020. She explained that this appears to be a rare opportunity for behavior analyst regulators to convene to discuss trends and issues. Additionally she supplied an accounting of the estimated cost of her attendance. Dr. Davis-Wilson noted that she is attending the meeting including sessions focused on regulatory topics, and will participate in a panel presentation on the topic of regulation; she further stated her support for the Executive Director’s attendance. Dr. Bohanske reminded the Board members that historically it has been on the cutting edge of regulatory issues, and in this spirit it is important to support opportunities to learn from and engage with fellow regulators.

MOTION: Dr. Davis-Wilson moved to approve and fund the Executive Director’s attendance at the regulators meeting of the APBA. Dr. Gill seconded the motion.

VOTE: The motion was approved 6-0

16. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CONTINUATION OF THE ARIZONA BOARD OF PSYCHOLOGIST EXAMINERS, AND PROPOSED LEGISLATION INCLUDING BUT NOT LIMITED TO, HB2184, SB1054, HB2224, HB2288, SB1142, SB1212, AND SB1274

Ms. Herbst Paakkonen explained to the Board that she would provide weekly status report updates on bills under consideration by the Arizona State Legislature in the current session. She supplied an updated status report on the progress of HB2224; psychology board; licensure; fingerprinting and on other bills of interest.

17. CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING UNIVERSAL RECOGNITION APPLICATIONS PREVIOUSLY TABLED BY THE BOARD

a. Aldo Enrique Rivera Revilla, Ph.D.

Ms. Herbst Paakkonen advised the Board that the applications with this agenda item have been previously tabled and are being presented again to the Board as they are approaching their review time frame deadlines. In response to the Board’s questions, Ms. Fowkes confirmed that the applicant Dr. Rivera Revilla does not have a passing score on the examination required for professional practice in psychology (the Examination for Professional Practice in Psychology, or “EPPP”) and has supplied evidence of passing only the examination used exclusively by the jurisdiction of Puerto Rico. The members acknowledged the Governor’s Executive Order 2020-21. The members discussed the potential implications of approving an applicant who has not passed the EPPP and has only passed an examination of which the Board knows nothing in terms of its content and validity. The members further discussed how the EPPP is the universally consistent standard required by all other U.S., and also Canadian, jurisdictions to determine entry to practice. The members noted its support of the intent of Universal Recognition of licensure, but acknowledged that when unique circumstance are presented, it opens the door to the lowest common denominator. The Board also acknowledged the intent of Universal Recognition is not to open this door, but to grant licensure when the applicant demonstrates she or he can practice “at the same practice level” as that required for Arizona licensure. The members also discussed the fact that passing the EPPP is required of all Arizona program graduates which is problematic from a parity perspective. The Board questioned how it could determine whether Puerto Rico licensees are able to practice at the same level of that required by Arizona graduates, noting that taking action either way

could be perceived as potentially violating one statute or another. The members explored whether its statutes allow for a temporary licensure status for the applicant to hold while scheduling and sitting for the EPPP, but did not identify such a process in the language. In response to the Board's questions, Ms. Galvin and staff affirmed that adhering to the application review time frames established by Board rule is advisable. The members concurred that the public expects this Board to grant licensure to only those qualified, and passing the national examination is an imperative requirement; additionally the role of the Board is to serve as the public's gatekeeper to protect them. Ms. Galvin affirmed to the Board that the applicant can apply through the examination (EPPP) process.

MOTION: Dr. Bohanske moved to deny the license on the basis of the applicant not meeting the requirement of being at the same practice level as he has not passed the EPPP, to allow the applicant to withdraw the application within 60 days, and allow him to apply for examination through passage of the EPPP in accordance with the statement made by the applicant; the fee may be transferred from the Universal Recognition application to the application by examination. If not withdrawn within 60 days of receiving notice, the notice of denial will be issued. Dr. Gill seconded the motion.

ROLL CALL VOTE:

Ms. Shreeve - yes
Dr. Davis-Wilson - yes
Dr. Flowers - yes
Dr. Bohanske - yes
Dr. Gill - yes
Dr. Meier - yes

b. Zaida Issel Garcia-Yili, Ph.D.

Ms. Fowkes confirmed that the applicant does not have a passing score on the EPPP and has supplied evidence of passing only the examination required by the jurisdiction of Puerto Rico.

MOTION: Dr. Bohanske moved to deny the license on the basis of the applicant not meeting the requirement of being at the same practice level as she has not passed the EPPP, to allow the applicant to withdraw the application within 60 days, and allow her to apply for examination through passage of the EPPP; the fee may be transferred from the Universal Recognition application to the application by examination. If not withdrawn within 60 days of receiving notice, the notice of denial will be issued. Dr. Gill seconded the motion.

ROLL CALL VOTE:

Dr. Meier - yes
Dr. Gill - yes
Ms. Shreeve - yes
Dr. Davis-Wilson - yes
Dr. Flowers - yes
Dr. Bohanske - yes

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING A.R.S. § 32-4302(1), INTERPRETATION OF STATUTE LANGUAGE INCLUDING, BUT NOT LIMITED TO “AT THE SAME PRACTICE LEVEL AS DETERMINED BY THE REGULATING ENTITY”

The Board members noted that A.R.S. §32-4302 was discussed extensively in the context of the substantive review of some applications on the meeting agenda. The members also discussed the fact that some bills have been filed in the current session of the Arizona State Legislature that, if passed, would modify some of the language of A.R.S. §32-4302, but that it isn't clear that the proposed language in the bills fully address

the interpretation challenges and clarify the statute’s intent. The discussion reflected that the Board agrees the concept of Universal Recognition of licensure is a good one and that many psychologist and behavior analyst applicants have demonstrated having met the requirements of the statute, but affirmed that the Board’s mission is to protect the public and therefore it is compelled to comply with the language of the statute. The members concurred that they are doing their best to interpret and apply language that isn’t clear and is challenging to interpret when presented with application facts and circumstances that appear to have not been considered or anticipated.

19. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO INCLUDE AFFIRMING OR RESCINDING LICENSE GRANTED TO GABRIELA ROTHLEUTNER, M.S. AND REVIEW OF ADDITIONAL VERIFICATION OF SUPERVISED HOURS SUBMITTED FOR APPROVAL OF LICENSURE

Dr. Davis-Wilson summarized the matter concerning the Committee on Behavior Analysts (CBA) revisiting Ms. Rothleutner’s application after obtaining new information subsequent to the Board vote approving the license on January 10, 2020. She explained that Ms. Rothleutner reported to staff on January 10, 2020 that one of her supervisors appears to have not been licensed during a portion of the period during which she supplied supervision. Dr. Davis-Wilson stated that the applicant has supplied documentation of having acquired additional supervision hours in excess of those that are in question, and noted the applicant assured the Committee that she wasn’t even certain that supervisor would submit hours on her behalf which is why she didn’t alert Board staff earlier. Dr. Davis-Wilson advised the Board that the CBA rescinded its original vote recommending licensure be granted, and subsequently voted to recommend licensure based on the new supervision documentation received and reviewed.

MOTION: Dr. Bohanske moved to rescind the previous action, accept the supplemental information supplied by the applicant concerning her supervision, and to grant licensure to the applicant. Dr. Davis-Wilson seconded the motion.

VOTE: The motion was approved 6-0.

20. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING COMMITTEE ON BEHAVIOR ANALYSTS’ RECOMMENDATION TO OPEN A COMPLAINT AGAINST CORINNA NDOLO, M.ED., LICENSE NO. BEH-000174.

Dr. Davis-Wilson disclosed for the record that she has had some professional engagement with the licensee but affirmed she is able to be objective concerning the review of this matter. Dr. Davis-Wilson summarized the matter, noting that Ms. Ndolo verified that she provided up to 260 hours of supervision for behavior analyst applicant Gabriela Rothleutner from September 1 to October 29, 2018 during which time she was unlicensed. She explained this would mean Ms. Ndolo was unlawfully practicing as a behavior analyst during that period. Dr. Davis-Wilson noted Ms. Ndolo submitted with her renewal/reinstatement form a notarized affidavit that states, “I swear that I have not practiced as a behavior analyst in Arizona since August 31, 2018.” Additionally Dr. Davis-Wilson stated Ms. Ndolo did not provide an address change to the Board as per required by R4-26-413(A). She informed the Board that the CBA recommended the Board open a complaint for investigation into this matter.

MOTION: Dr. Bohanske moved to open a complaint against Ms. Ndolo for further investigation. Dr. Davis-Wilson seconded the motion.

VOTE: The motion was approved 6-0.

21. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR EXAM AND LICENSURE – Dr. Meier

Dr. Meier reported that the review of the following applications by the Application Review Committee (ARC) on February 10, 2020 found that the listed applicants had either incomplete information or errors in their applications. Dr. Meier stated that the application deficiencies have since been corrected and submitted to the Board, and therefore the files are now complete for purposes of Board review on this meeting agenda.

a. Euodia Chua, Ph.D.

Dr. Meier advised the ARC review found that some of the applicant's hours reported as post-doctoral experience appear to have been acquired prior to the applicant's graduation date and therefore could not be accepted toward meeting the requirement for licensure. He noted the applicant was able to supply documentation of additional qualifying hours, and the application is now complete.

MOTION: Dr. Bohanske moved to approve licensure to Euodia Chua, Ph.D. Dr. Davis-Wilson seconded the motion.

VOTE: The motion was approved 6-0.

b. Jessica Lamar, Psy.D.

Dr. Meier advised the ARC review found that that the application was deficient of post-doctoral experience hours that may be met with submission of documentation concerning the applicant's second training plan. He noted the applicant was able to supply documentation of the plan and of additional qualifying hours, and the application is now complete.

MOTION: Dr. Meier moved to approve licensure to Jessica Lamar, Psy.D. Dr. Bohanske seconded the motion.

VOTE: The motion was approved 6-0.

c. Karine Hageboutros, Psy.D.

Dr. Meier advised the ARC review found that that the application was deficient in that the materials submitted reflect that a number of the hours acquired during the applicant's post-doctoral experience cannot be accepted as reported as they were in excess of the allowed maximum of 40 hours per week. He noted the applicant was able to supply documentation of additional qualifying hours, and the application is now complete.

MOTION: Dr. Meier moved to approve licensure to Karine Hageboutros, Psy.D. Dr. Davis-Wilson seconded the motion.

VOTE: The motion was approved 6-0.

22. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR LICENSURE BY WAIVER

a. Devon Superville, Ph.D.

Dr. Meier advised the ARC review identified some errors were made on the applicant's post-doctoral form. He noted the applicant was able to supply an updated form with the necessary corrections and the application is now complete.

MOTION: Dr. Meier moved to approve licensure to Devon Superville, Ph.D. Dr. Bohanske seconded the motion.

VOTE: The motion was approved 6-0.

b. John E. Rugg, Ph.D.

Dr. Meier advised the ARC review identified some errors were made on the applicant's post-doctoral form. He noted the applicant was able to supply an updated form with the necessary corrections and the application is now complete.

MOTION: Dr. Meier moved to approve licensure to John E. Rugg, Ph.D. Dr. Bohanske seconded the motion.

VOTE: The motion was approved 6-0.

23. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR LICENSURE BY UNIVERSAL RECOGNITION

a. James Henry Willis, Ph.D.

Dr. Meier advised the Board that this applicant was denied a license in 2013 due to having a general psychology degree, as opposed to in clinical psychology, and that general psychology does not prepare its graduates for clinical practice. He noted the applicant is now applying through Universal Recognition with the same degree of general psychology. The members concurred that a general psychology degree would not qualify an Arizona applicant for licensure, and that the course catalog for the degree earned by the applicant advises that the degree is not intended to prepare the graduate to practice clinical psychology. The Board acknowledged he passed the EPPP but discussed the fact that the degree earned is not in the discipline to which he is applying. The Board also discussed that a general psychology degree does not require any sort of internship, practicum or other way to verify the graduate is qualified to work with the most vulnerable of clients. The members concurred that the Board's job is not to control the practice of psychology, but it is to protect the public. The discussion acknowledged that for a period of time a California licensure loophole allowed licensure to be granted to some graduates of programs that publicly state the degree does not prepare the graduate for clinical practice; that loophole has been closed, but in the meantime there are such graduates to which California had to grant licensure.

MOTION: Dr. Meier moved to deny the application on the basis that the applicant's degree is in general psychology and not applied (clinical) psychology and therefore the applicant does not meet the requirement of having an out of state license in the discipline applied for in Arizona. Dr. Bohanske seconded the motion.

ROLL CALL VOTE:

Dr. Davis-Wilson - yes

Dr. Flowers - yes

Dr. Meier - yes

Dr. Gill – no

Dr. Bohanske - yes

Ms. Shreeve - yes

The motion was approved 5-1.

b. Jude Ann Miller-Burke, Ph.D.

Dr. Meier summarized the contents of the application, noting the ARC found that the applicant earned a degree in human and organizational development rather than in clinical psychology. The members discussed the fact that this degree would not qualify an Arizona applicant for licensure to practice clinical psychology.

MOTION: Dr. Meier moved to deny the application on the basis that the applicant's degrees in Counseling Psychology (Masters), Organizational Development (Masters) and Human and Organizational Development (Doctor of Philosophy) are not in applied (clinical) psychology and therefore the applicant does not meet the requirement of having an out of state license in the discipline applied for in Arizona. Dr. Bohanske seconded the motion.

ROLL CALL VOTE:

Dr. Bohanske - yes
Dr. Flowers - yes
Ms. Shreeve - yes
Dr. Davis-Wilson - yes
Dr. Gill – abstain
Dr. Meier – yes

The motion was approved with 5 affirmative votes and one abstaining vote.

c. Patricia Ann Gillette, Ph.D.

Dr. Meier summarized the contents of the application, noting that Dr. Gillette was previously under a Consent Agreement in another jurisdiction concerning a child custody evaluation case. He explained that the Application Review Committee identified no concerns with respect to this matter as it has long been resolved and closed, but in accordance with established procedure the Committee voted to forward the application to the full Board for its review and consideration. Dr. Gillette was present for the review and addressed the Board, explaining that the matter was resolved as a reprimand and she complied fully with the investigation.

MOTION: Dr. Bohanske moved to grant licensure to Dr. Gillette. Dr. Meier seconded the motion.

VOTE: The motion was approved 6-0.

24. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION CONCERNING SELECTION OF JULY 2020 MEETING DATE

Ms. Herbst Paakkonen advised the Board that currently the July meeting is scheduled for Thursday, July 9 due to the unavailability of a suitable meeting room on Friday, July 10. However, Board staff recently learned that a meeting room has become available, permitting a scheduling change to July 10 should the Board prefer that date. Staff confirmed the July meeting will be conducted telephonically. The members agreed by consensus to retain the meeting on Thursday, July 9, 2020.

25. NEW AGENDA ITEMS FOR FUTURE MEETINGS

No new items were suggested.

26. ADJOURNMENT

The meeting adjourned at 11:46 a.m. at which time a quorum of members was no longer present.

Respectfully submitted,

Lynn L. Flowers, Ph.D.