



Governor
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Board Members
Bob Bohanske, Ph.D., FNAP, Chair
Lynn L Flowers, Ph.D., Vice-Chair
Diana Davis-Wilson, DBH, BCBA, Secretary
Aditya Dynar, Esq.
Stephen C. Gill, Ph.D.
Bryan Davey, Ph.D., BCBA-D
Matthew A. Meier, Psy.D.
Ramona N. Mellott, Ph.D.
Tamara Shreeve, MPA

Executive Director
Heidi Herbst Paakkonen, MPA

Regular Session Minutes

December 12, 2019 - 8:30 a.m.
1740 W. Adams St.
Boardroom A (1st Floor)
Phoenix, AZ 85007

1. **CALL TO ORDER** – Dr. Bohanske

The regular session meeting of the Arizona State Board of Psychologist Examiners was called to order by Chairman Bohanske at 8:30 a.m. on December 12, 2019. Two Executive Sessions were held: 9:03 a.m. to 9:12 a.m. and 10:44 a.m. to 11:21 a.m.

2. **ROLL CALL** – Ms. Poe

Board Members Present:

Bob Bohanske, Ph.D., FNAP – Chair
Lynn L. Flowers, Ph.D. – Vice-Chair
Diana Davis-Wilson, DBH, BCBA, Ph.D. - Secretary (joined at 8:30 a.m. by phone; at 8:40 a.m. in person)
Bryan Davey, Ph.D., BCBA-D (joined by phone)
Aditya Dynar, Esq. (joined by phone)
Dr. Stephen Gill, Ph.D. (joined by phone at 8:34 a.m.)
Matthew A. Meier, Psy.D.
Ramona N. Mellott, Ph.D.
Tamara Shreeve, MPA

Board Members Absent:

None

Staff Present:

Heidi Herbst Paakkonen, Executive Director
Jennifer Michaelsen, Interim Executive Director
Kathy Fowkes, Licensing Specialist
Krishna Poe, Administrative Assistant

Attorney General:

Jeanne Galvin, Esq.

3. **REMARKS/ANNOUNCEMENTS** – Dr. Bohanske

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

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

- **Board Surveys**
Chairman Bohanske encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the survey box
- **Board Member and Staff Appreciation**
Chairman Bohanske thanked Board members and staff for their hard work and extra investment of time over the past several weeks while the Board completes its transition period. Ms. Michaelsen received special recognition for her service as Interim Executive Director during that period.
- **Introduction of Heidi Herbst Paakkonen, Executive Director**
Dr. Bohanske welcomed Ms. Herbst Paakkonen to the Board and provided a brief summary of her professional background and experience.
- **Recognition of Dr. Brundage**
Dr. Bohanske read a letter submitted by Dr. Brundage expressing her appreciation for the opportunity to serve on the Board for over fourteen years, protecting the public with fellow members.
- **Presentation of plaque to Bob Bohanske, Ph.D.**
A plaque was presented to Dr. Bohanske commemorating his service to the Board as Chair for 2019.

4. **CALL TO THE PUBLIC**

No one requested approval to address the Board.

5. **COUNSEL UPDATE – Ms. Galvin**

Ms. Galvin supplied a status report on the two cases before the Arizona Superior Court. Both the Dr. Gray and Dr. DenBoer cases await the scheduling of their respective oral arguments.

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

Any item under consent may be removed for independent discussion and action by a Board member.

A. APPROVAL OF MINUTES

- October 4, 2019 Regular Session (Ms. Shreeve recused from this item)
- October 4, 2019 Executive Session (11:12 a.m. - 11:23 a.m.) (Ms. Shreeve recused from this item)
- October 4, 2019 Executive Session (1:37 p.m. - 1:46 p.m.) (Ms. Shreeve recused from this item)
- October 23, 2019 Regular Session
- October 23, 2019 Executive Session (11:04 a.m. – 1:10 p.m.)
- October 23, 2019 Executive Session (1:15 p.m. – 1:22 p.m. (Dr. Mellott recused from this item)
- November 1, 2019 Regular Session

Mr. Dynar recused from this agenda item.

B. EXECUTIVE DIRECTOR'S REPORT

C. INVESTIGATIONS REPORT

D. LICENSING REPORT

E. DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS

Requesting Approval to Sit for Examination (EPPP) Only

- 1) Patricia Hopkins-Smith, Ph.D.
- 2) Ronald Craig Bean, Ph.D.

Requesting Approval to Sit for Examination (EPPP) & Licensure

- 1) Agnes Monika McKay, Psy.D.
- 2) Angie Jean Graham, Psy.D.
- 3) Barbod Salimi, Ph.D.
- 4) Lauren Hagwood, Psy.D.
- 5) Lindsey A. Liles, Ph.D.
- 6) Melissa L. Gonzalez, Psy.D.
- 7) Michael E. Maisano, Psy.D.
- 8) Samuel Ballou, Psy.D.
- 9) Shannon Marie Clark-Sienkiewicz, Ph.D. (Dr. Meier recused from this item)
- 10) Thomas E. Bybee, Ph.D.

Requesting Approval for Licensure by Waiver

- 1) Austin A. McCall, Psy.D.
- 2) Emily Claire O'Hara, Psy.D.
- 3) Kiernan Connor Gilbert, Psy.D. (Dr. Bohanske recused from this item)
- 4) Ryan Mun Hon Akio Terao, Psy.D.
- 5) Zorash Montano, Ph.D.

Requesting Approval of Temporary Licensure and to Sit for the EPPP

- 1) Heidi Ramirez, Psy.D.

Requesting Approval for Licensure by Credential

- 1) Christopher C. Burgess, Psy.D.
- 2) Leanna E. Manuel, Psy.D.
- 3) Linda Olsen Webber, Ph.D.
- 4) Robert Buri, Ph.D.
- 5) Robin R. Abraham, Psy.D.

Requesting Approval for Licensure by Universal Recognition

- 1) David Steele Bohline, Ph.D.
- 2) Diana L. Cook, Ph.D.
- 3) Gilda Oliva Ríos, Ph.D.
- 4) Heather A. Okvat, Ph.D.
- 5) Karen Lippman, Psy.D.
- 6) Krameelah Marshae Banks, Ph.D.
- 7) Linda M. DeBiase, Psy.D.
- 8) Lisa Lorence, Psy.D.

F. DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- 1) Cierra Patricia Miller, M.Ed.
- 2) Derrel Ann White, M.Ed.

- 3) Gretchen Childers, M.S.
- 4) Jamie Lynn Jones, M.S.
- 5) Kayla Marie Kelley, M.Ed.
- 6) Megan Vincent, M.Ed.
- 7) Oliva M. Shaw, M.A.
- 8) Sarah Guinea, M.S.
- 9) Starlla K. Duran, M.Ed.
- 10) Travis B. Bell, Jr., M.S., M.Ed.
- 11) Vanessa Martin, M.S.
- 11) Victoria Ann Diforte, M.Ed.

Dr. Davis-Wilson recused from the vote of all the Behavioral Analyst applications.

G. DISCUSSION/DECISION REGARDING REQUEST FOR EXTENSION OF TIME TO COMPLETE THE CONTINUING EDUCATION REQUIREMENTS FROM LARRY A. MORRIS, PH.D

This item was removed from the Consent Agenda for separate Board review and action.

MOTION: Dr. Flowers moved to grant the extension for a period of 1 year to complete the requirements. Dr. Meier seconded the motion.

VOTE: The motion carried 8-1.

H. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST TO SIT FOR THE EPPP FROM TEMPORARY LICENSE HOLDER BENIUS BEARD, PSY.D., TEMPORARY LICENSE NO. TL-27.

I. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST TO RE-TAKE THE EPPP FROM TEMPORARY LICENSE HOLDER JENNIFER NANSON, PSY.D., TEMPORARY LICENSE NO. PSY-T-000002.

Dr. Bohanske recused from this agenda item.

J. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR EXTENSION OF TIME TO SIT FOR THE EPPP FROM RICHARD MENDIVIL, PSY.D.

MOTION: Dr. Flowers moved to accept the consent agenda. Dr. Mellott seconded the motion.

VOTE: The motion carried by a unanimous vote.

TIMED ITEM – 8:45 a.m.

7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEW OF THE FOLLOWING COMPLAINTS

a) Complaint No. T-20-01 Carol Jernigan, Psy.D. (Ms. Shreeve)

Ms. Shreeve summarized the complaint. S.M. is a former acquaintance of Dr. Jernigan's who alleges that Dr. Jernigan claimed to be a licensed psychologist during a 2015 interview with law enforcement that was related to a criminal investigation concerning S.M. Dr. Jernigan currently provides counseling services at Grossman

& Grossman Ltd., which is a licensed agency with the Arizona Department of Health Services. 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. Staff has confirmed Dr. Jernigan is not licensed with this Board, nor by the Board of Behavioral Health Examiners. The Complaint Screening Committee reviewed this complaint and expressed concern that Dr. Jernigan is possibly providing psychological services and administering psychological examinations as an unlicensed person at her current employment. The complaint was forwarded to the Board for possible violations of A.R.S. § 32-2084(A), for possibly engaging in the practice of psychology; A.R.S. § 32-2084(C)(1), for possible use of the designation "psychology", "psychological" or "psychologist" by a person not licensed pursuant to Chapter 32, Title 19 of the Arizona Revised Statutes; A.R.S. § 32-2084(C)(2), for possible use of any combination of words, initials and symbols that leads the public to and believe the person is licensed to practice psychology in this state, by a person not licensed pursuant to Chapter 32, Title 19 of the Arizona Revised Statutes.

S.M. was present by telephone and addressed the Board, reiterating the salient points of his complaint.

The Board deliberation reflected there are serious concerns relative to the website claims that she is performing testing on patients, noting the website featuring her work was edited after Dr. Jernigan received notification of the complaint. The Board expressed disappointment that the respondent is not present to address questions and discussed that she may be practicing without a license regardless of what the website now states. The investigation established that her activities extend that beyond that which is permitted by a behavioral health technician. Ms. Galvin advised the Board could issue a subpoena to the respondent to appear, but since she is not a licensee she is not compelled to comply. She further advised that potential remedies include forwarding the investigation to the Consumer Protection Division of the Office of the Attorney General or file a case in Superior Court to seek an injunction.

Dr. Bohanske moved to meet in Executive Session. The motion was seconded by Ms. Shreeve. The motion carried 9-0. The Board entered Executive Session at 9:02 a.m and resumed public session at 9:13 a.m.

MOTION: Dr. Mellott moved to subpoena the agency at which Dr. Jernigan is employed for all notes and reports related to her conducting patient or client assessments, tests and evaluations for the previous 3 years. Ms. Shreeve seconded the motion.

VOTE: The motion carried by a vote of 8-1.

b) Complaint No. 19-10 Shelley Kaufman, Ph.D. (Dr. Meier)

8. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO PROPOSED CONSENT AGREEMENT FOR VOLUNTARY SURRENDER FOR SHELLEY KAUFMAN, PH. D. IN CASE NO. 19-10

Dr. Meier summarized the complaint against Dr. Kaufman as filed by E.L. The complainant alleges she felt abandoned by Dr. Kaufman subsequent to her disclosure that she had expressed suicidal thoughts that were unaddressed by Dr. Kaufman. The investigation also revealed some concerns with respect to allegations of lack of informed consent, lack of appropriate recordkeeping, and lack of documentation of continuity of care. Subsequent to responding to the complaint, Dr. Kaufman contacted the Board and offered a surrender of her license.

E.L. attended the review of this matter by telephone and thanked the Board for addressing her complaint.

Charles Struble, Esq., legal counsel for Dr. Kaufman, was present and advised the Board that Dr. Kaufman ceased treating patients for the past six months due to health reasons. He stated that if the surrender is accepted, Dr. Kaufman's contact information will represent to the public that she is retired and no longer practicing as a psychologist.

The Board discussed the investigative report findings and whether Dr. Kaufman violated the law.

MOTION: Dr. Mellott moved to allow Dr. Kaufman to retire her license. Dr. Flowers seconded the motion.

DISCUSSION: Ms. Galvin advised the Board that if the consent agreement is accepted, the renewal application would be deemed as withdrawn. If accepted the consent agreement will be considered disciplinary action. Staff reviewed with the Board the recitals in the document to which Dr. Kaufman agreed when she signed it including the licensee's acceptance of the findings of fact and conclusion of law.

MOTION: Dr. Mellott withdrew her original motion and offered a new motion to accept the signed Consent Agreement and to consider the renewal application as withdrawn. Dr. Meier seconded the motion.

MOTION: Ms. Shreeve moved to accept the Consent Agreement. Dr. Meier seconded the motion.

VOTE:

Dr. Bohanske - yes
Dr. Davey - yes
Mr. Dynar - no
Dr. Gill - yes
Dr. Meier - yes
Dr. Mellott - yes
Dr. Flowers - yes
Dr. Davis-Wilson - yes
Ms. Shreeve – yes

The motion was approved by a vote of 8-1. Mr. Struble requested clarification on the status of his client's application fee. He was advised to contact the Board's Executive Director following the meeting.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PENDING RENEWAL APPLICATION FROM SHELLEY KAUFMAN, PH.D.

This matter was addressed by Board action taken on agenda item #8.

TIMED ITEM – 10:00 a.m.

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEW OF THE FOLLOWING COMPLAINT

a) Complaint No. 20-03 Dr. Neal Olshan (Dr. Meier)

Dr. Meier summarized the complaint filed by S.L. who saw Dr. Olshan for his anxiety and depression issues on four occasions from January to May of 2019. S.L. represents that Dr. Olshan told him that his treatment would be accomplished by providing S.L. with dynamic autogenic audio tapes. S.L. alleges that Dr. Olshan never provided him with psychotherapy and that the entire treatment consisted of the tapes. S.L. believes that Dr. Olshan is guilty of unprofessional conduct for the following reasons: Dr. Olshan never provided psychotherapy (which is what he was paid for), Dr. Olshan failed to provide the dynamic autogenic tapes despite promising them on several occasions, and Dr. Olshan refused to respond to S.L.'s multiple emails requesting the tapes. Dr. Meier noted the Board received a request from Dr. Olshan to drop the complaint. The respondent also stated he has had difficulty receiving mail, and he forgot his deadlines to respond to the complaint and to comply with the subpoena. Dr. Olshan states S.L. has anger issues which are directed to him. To date no records have been submitted. Staff advised that neither the complainant nor the licensee are present.

The Board noted the respondent has very recently requested a continuation. The Board discussed the fact that the licensee is non-responsive, evasive, and is unwilling to appear before the Board to address their questions.

Ms. Galvin advised the Board that the case status is initial review, meaning the licensee's due process rights are not being denied. The Board can move the case to a hearing at which time he will be duly noticed of that and all rights will be afforded to him. Generally the first request for a continuance is granted by staff. Given the licensee's lack of response and subpoena compliance, this matter has been presented to the Board for a decision.

The Board discussed Dr. Olshan's lack of compliance with the following sections of A.R.S. 32-2061(16):

- (e), gross negligence in the practice of a psychologist;
- (h), failing or refusing to maintain and retain adequate business, financial or professional records pertaining to the psychological services provided to a client or patient;
- (o), providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice;
- (p), falsely or fraudulently claiming to have performed a professional service, charging for a service or representing a service as the licensee's own when the licensee has not rendered the service or assumed supervisory responsibility for the service;
- (bb), failing to furnish information in a timely manner to the board or its investigators or representatives if requested or subpoenaed by the board as prescribed by this chapter.

MOTION: Dr Meier moved to forward the case to an informal interview and for Board staff to subpoena the licensee for records and for his personal appearance at the hearing. Dr. Flowers seconded the motion.

VOTE: The motion was approved 7-1.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR A CONTINUATION IN COMPLAINT NO. 20-03 FROM NEAL OLSHAN, PH.D.

MOTION: Dr. Bohanske moved to deny the continuation. Dr. Davis-Wilson seconded the motion.

VOTE: The motion was approved 7-1.

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

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO A PROPOSED INTERIM CONSENT AGREEMENT SIGNED BY BARRIE WAGNER, PSY.D. IN CASE NO. 20-09 AND POSSIBLE MOTION TO VACATE THE FORMAL HEARING. – Ms. Michaelsen

Ms. Michaelsen summarized this history of the complaint, nothing that during its meeting on October 23, 2019, based on a an investigative report with findings of a serious nature indicating Dr. Wagner presented a risk to the public, the Board voted to summarily suspend her license. The formal hearing with the Office of Administrative Hearings is scheduled, but in the meantime Dr. Wagner contacted the Board staff advising that she wishes to enter into a Consent Agreement, including a requirement that she submit to a fitness for duty evaluation

Ms. Galvin Dr. Wagner advised the Board that Dr. Wagner is present and has signed the Consent Agreement. She further requested that if the Consent Agreement is accepted, the Board also vote to vacate the scheduled formal hearing.

Dr. Wagner was present and stated her appreciation for the Board offering the agreement. She reported her fitness for duty appointment is scheduled for January 7, 2020; additionally she has supplied the Board with her treatment goals

MOTION: Ms. Shreeve moved to accept the signed Consent Agreement and vacate the formal hearing. Dr. Meier seconded the motion.

VOTE:

Dr. Davey – yes
Mr. Dynar – yes
Dr. Bohanske – yes
Dr. Flowers – yes
Dr. Davis-Wilson – yes
Ms. Shreeve – yes
Dr. Mellott – yes
Dr. Meier – yes

The motion was approved 8-0.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING ADOPTION OF THE ENHANCED EXAMINATION FOR PROFESSIONAL PRACTICE IN PSYCHOLOGY (EPPP), Part 2 – Skills – Ms. Herbst Paakkonen

This matter was placed on the agenda for the Board to receive an update directly from key ASPPB staff relative to the status of the launch of the Part 2-Skills component of the EPPP. Matt Turner, Ph.D., Senior Director of Examination Services attended by telephone and reported on how the rollout timeline is developing with other early adopter states, noting Nevada will be ready in January. Georgia anticipates November implementation at which time their rules revision will be complete and other states fall somewhere in between. Dr. Turner explained it would be ideal for beta testing purposes (in order to score and set the passing standard appropriately) to bring the jurisdictions on board together. Dr. Turner elaborated that ASPPB requires a 6 month window of time for testing of items to occur. The beta testing window fee is \$100 and the early adopter fee is \$300. Candidates taking Part 2 during the beta test time frame will have delayed reporting of their scores as a result. The Board discussed that applications received after the announced implementation date would all fall under the requirement to take Part 1 and also Part 2. ASPPB is willing to move back the rollout in order to accommodate GA and wants to coordinate the jurisdictions as much as possible.

The Board's discussion reflected the fact that while the EPPP consists of only Part 1 today, but upon implementation, Part 1 plus Part 2 is the EPPP.

Upon resuming discussion of the agenda item the Board discussed concerns relative to the time allowances afforded to applicants to take both components of the examination. The discussion reflected aligning with Georgia for a November implementation.

14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PRESENTATION AND INFORMATION FROM REPRESENTATIVE FROM THE PSYCHOLOGICAL CLINICAL SCIENCE ACCREDITATION SYSTEM (PCSAS) ON PROPOSED LEGISLATION FOR THE UPCOMING LEGISLATIVE SESSION.

Following the lunch break the Board resumed the meeting with this agenda item. All Board members who were present for the morning session with the exception of Dr. Gill were present. Mr. Dynar continued to participate telephonically.

Sabrina Vasquez, University of Arizona, Will Corbin, Ph.D., Arizona State University and David Sbarra, Ph.D., University of Arizona, introduced themselves to the Board and stated they are representing the Psychological Clinical Science Accreditation System (PCSAS) which is pursuing a change to the Board's statutes in order to create "accreditation parity" with the American Psychological Association (APA) for students graduating from PCSAS accredited programs. The position of PCSAS is that there are multiple ways through which to train qualified clinical psychologists.

Board members questioned the guests relative to the program standards and criteria and engaged in a dialogue concerning the impact of such a policy change.

Following discussion the Board members agreed by consensus to table any action on this matter until the January meeting at which time the very recently appointed members will be in attendance and will have opportunity to adequately consider this issue and potentially take action on it.

15. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING INFORMATION RECEIVED ON DR. CAROL GANDOLFO, PSY.D. – Ms. Herbst Paakkonen

Ms. Herbst Paakkonen advised the Board that the day prior to this meeting the office received notification that Dr. Gandolfo has retained legal counsel relative to this matter, and a continuation was requested. As is customary, Board staff granted the continuation and therefore the matter will be scheduled for the January meeting agenda.

16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR LICENSURE BY UNIVERSAL RECOGNITION FROM ALDO ENRIQUE REVILLA RIVERA, PH.D. – Dr. Mellott

Dr. Mellott summarized the status of the application file, noting that the applicant is licensed in Puerto Rico. Staff reminded the Board that the application was reviewed previously and the Board directed staff to issue a request to the applicant to obtain clarification on the applicant's examination history.

MOTION: Dr. Mellott moved to approve the license under Universal Recognition. Dr. Flowers seconded the motion.

DISCUSSION: The Board noted its past discussion of concerns that Puerto Rico does not require the EPPP. Every other U.S. jurisdiction and all Canadian provinces require a passing score on what is recognized as the required entrance examination. The Board acknowledged that Universal Recognition creates a situation where, unlike other health boards, a person can become licensed without ever having passed the entrance examination. The conundrum the Board faces is whether to license applicants who have not passed the exam when there are many Arizona applicants who have attempted and failed the examination thus giving rise to equal protection claims. The Board discussed whether the minimum standards should always ensure an applicant has obtained the required doctoral degree, and has passed the entrance examination.

Ms. Shreeve offered a motion to meet in Executive Session to obtain legal advice from the Board counsel. Dr. Davis-Wilson seconded the motion. The Board entered Executive Session at 10:44 a.m. The Executive Session concluded at 11:21. The Board temporarily tabled action on this item and resumed discussing this agenda item at 1:58 PM.

The Board reviewed the language of the statute noting the instances where different interpretations could be arrived at and also how difficult it is to apply the law under certain facts and circumstances that may not have been taken into consideration when the legislation was drafted (e.g. applicants graduating from unaccredited education programs and applicants who have not passed the professional entrance examination.

Dr. Mellott withdrew her motion. Dr. Flowers withdrew his second.

MOTION: Dr. Bohanske moved to direct the Executive Director to request a formal opinion from the Arizona Attorney General on implementation of the aspects of the law that are in question: the meaning of “same practice level and does that encompass the degree earned, the examination history, and training completed”, and the meaning of “who is the regulating entity”. Dr. Meier seconded the motion.

VOTE: The motion carried by a unanimous vote

MOTION: Dr. Bohanske moved to table consideration of the application of Dr. Aldo Enrique Revilla Rivera pending a formal opinion from the Attorney General’s Office. Dr. David-Wilson seconded the motion.

VOTE: The motion carried by a unanimous vote.

17. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING ADOPTION OF A SUBSTANTIVE POLICY STATEMENT ADDRESSING REPRODUCTION OF PUBLIC RECORDS AND INVESTIGATIVE RECORDS – Ms. Herbst Paakkonen

Ms. Herbst Paakkonen explained this matter consists of two requests to include in a Substantive Policy Statement, (SPS) in order to clarify the law: establish a fixed fee of \$25 for production of electronic copies of a respondent’s own investigative record, and to authorize the Executive Director to elect to waive the fee for reproduction of the directory of licensees when the requestor indicates the records will be used for a non-commercial purpose.

MOTION: Dr. Bohanske moved to approve the drafting of the SPS as proposed with the addition that the directory fee can also be waived when the requestor is conducting research. Ms. Shreeve seconded the motion.

VOTE: The motion was approved 8-0.

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

Ms. Herbst Paakkonen reported that Ms. Shreeve has expressed interest in serving as Board chair. Dr. Flowers and Dr. Davis-Wilson are similarly interested in the Chair position if candidates are needed, and have also indicated willingness to serve in the Vice Chair position. Candidates for the office of Secretary will need to be nominated. Dr. Bohanske presided over the elections.

Dr. Flowers withdrew from consideration for the Board Chair position. By a show of hands Ms. Shreeve was elected Board chair for 2020. Mr. Dynar abstained from the vote. Dr. Flowers withdrew from consideration for the Board Chair position. By a show of hands Dr. Davis-Wilson was elected Vice Chair. Mr. Dynar abstained from the vote. Dr. Flowers was elected to the position of Secretary by acclamation. Mr. Dynar abstained from the vote.

19. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REPORT ON RECENT ASPPB MEETING IN MINNEAPOLIS, MINNESOTA – Dr. Bohanske

Dr. Bohanske yielded the time to Ms. Michaelsen to provide a summary on the meeting. Ms. Michaelsen reported that her first ASPPB meeting was very enlightening and informative. She especially found value in attending the Board Administrators/ Registrars Committee (BARC) meeting as the members discuss regulatory issues and their implementation. Other meeting topics of interested included the EPPP and the Part 2 enhancement and strategies to help facilitate timely board appointments.

20. DISCUSSION, CONSIDERATION AND CONGRATULATIONS REGARDING DR. BOB BOHANSKE’S DESIGNATION AS A FELLOW OF ASPPB AT THE RECENT ASPPB MEETING – Ms. Herbst Paakkonen

Ms. Michaelsen advised the Board that she had the privilege of witnessing the presentation of this award to Dr. Bohanske at the Annual Meeting of the Association of State and Provincial Psychology Boards (ASPPB). The Board members received a copy from the awards program summarizing Dr. Bohanske's regulatory accomplishments deserving of the fellowship award.

21. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING CORRESPONDENCE RECEIVED FROM J. MICHAEL MORGAN, PH.D., AS IT RELATES TO COMPLIANCE WITH A REQUEST GRANTED FOR EXTENSION OF TIME TO COMPLETE THE CONTINUING EDUCATION REQUIREMENTS - Ms. Poe

Ms. Poe summarized the matter, noting that Dr. Morgan previously submitted a request to the Board for an extension of time with which to complete his continuing education requirements. The Board granted this request. Dr. Morgan missed the Board-established deadline but has since submitted his documentation of completed activities. Board staff reviewed Dr. Morgan's continuing education documentation and found them to meet the requirements.

MOTION: Dr. Flowers moved to accept Dr. Morgan's documentation and to find him in compliance. Dr. Bohanske seconded the motion.

VOTE: The motion was approved 7-0.

22. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION SUBMITTED BY FAREN AKINS, PH.D. – Ms. Poe

Ms. Poe summarized the matter, noting that Dr. Akins answered yes to two questions on his application for renewal. Documentation relative to these disclosures have been submitted to the Board. Dr. Akins was present for the review of his application and was invited to address the Board. He reported both matters have been resolved in that they have been dismissed.

MOTION: Dr. Mellott moved to approve the renewal application of Dr. Akins. Ms. Shreeve seconded the motion.

VOTE: The motion was approved 8-0.

23. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATION FOR TEMPORARY LICENSE AND TO SIT FOR EPPP FROM JAMIE NICOLE KATZ, PSY.D.

Dr. Mellott summarized the application, noting that she completed most of her coursework through the psychology program at the now closed Argosy University. Because she transferred to the Chicago School of Professional Psychology to complete her degree, she is unable to meet two of the requirements of A.R.S. § 32-2071.01. The Board discussed the fact that the statute prohibits two of the recently closed Argosy University program cohorts from meeting the licensure requirements through no fault of their own. The members commented that these students did not transfer voluntarily and had to do so in order to continue their studies since the program closed. At issue is whether the Board approves an application inconsistent with the statute's requirements, but acknowledges that in doing so it sets a problematic precedent for other non-qualifying applicants. Ms. Galvin advised that the only other alternative is to wait for a possible statute change to accommodate the impacted students; even in anticipation of the statute changing, making an "Argosy exception" is not advisable. The Board members concurred that passing a session law fix establishes a specific and limited time frame for such an accommodation. The Board explored whether the statutes grant the Board authority to grant a temporary license, but concurred they do not. The Board acknowledged that 1,000 former Argosy psychology program students throughout the country are impacted by the institution's closure.

The Board discussed options including allowing the applicant to request administrative closure of her application and possibly reopening it once the legislation passes, and allowing her to withdraw the application.

MOTION: Dr. Mellott moved to allow the applicant to withdraw her application and to authorize the Executive Director to refund the application fee. Dr. Meier seconded the motion.

VOTE: The motion carried 8-0.

24. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING RE-APPLICATION FOR EXAM & LICENSURE FROM JENNIFER FOWLER, PSY.D. – Dr. Mellott

Dr. Mellott summarized the re-application file for Dr. Fowler noting that the deficiencies identified previously have been addressed by the applicant. Dr. Mellott further noted that Dr. Fowler has been approved for temporary license and to take the EPPP with licensure granted on receipt of a passing score, but Dr. Fowler was not successful with her first attempt.

MOTION: Dr. Bohanske moved to approve Dr. Fowler's re-application for the EPPP and to grant her licensure upon receipt of a passing score. Dr. Mellott seconded the motion.

VOTE: The motion was approved 7-0.

25. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON REQUEST FOR CLARIFICATION FILED BY LUIS R. SANCHEZ, M.S. PURSUANT TO A.R.S. § 41-1001.02 RELATING TO THE BOARD'S INTERPRETATION OF A.R.S. § 32-2071(F) AS APPLIED TO COMPLETION OF INTERNSHIP AT TWO DIFFERENT SITES – Ms. Herbst Paakkonen

Ms. Herbst Paakkonen summarized the request for clarification of A.R.S. § 32-2071(F) explaining that A.R.S. § 41-1001.02 provides an opportunity to seek an interpretation of a licensure application requirement. In this instance, Mr. Sanchez asks whether the internship required for licensure can be completed at two separate sites.

MOTION: Dr. Bohanske offered a motion to advise Mr. Sanchez that two rotations of six months is duration are acceptable as long as both meet the requirements as set forth in the statute. Dr. Flowers seconded the motion.

VOTE: The motion was approved 7-0.

26. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING THE UNIVERSAL RECOGNITION STATUTE (A.R.S. § 32-4302)

This item was addressed elsewhere on the meeting agenda.

27. NEW AGENDA ITEMS FOR FUTURE MEETINGS

No agenda items were identified.

28. ADJOURNMENT

MOTION: Dr. Mellott moved to adjourn the meeting. Ms. Shreeve seconded the motion.

VOTE: The motion was approved 7-0. The meeting adjourned at 3:04 p.m.

Respectfully submitted,

Diana Davis-Wilson, DBH, BCBA