



Governor
Douglas A. Ducey

Arizona Board of Psychologist Examiners

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BOARD OF PSYCHOLOGIST EXAMINERS LEGISLATIVE COMMITTEE REGULAR SESSION MINUTES

*June 28, 2019
8:00 a.m.
1740 W. Adams St.
Conference Room 1024
Phoenix, AZ 85007*

The Committee Chair reserves the right to change the order of items on the agenda. Matters set for a specific time are approximate and agenda items may be tabled to another meeting. Upon a vote of a majority of the quorum, the Committee may go into Executive Session on any item on the agenda, pursuant to A.R.S. § 38-431.03(A)(3), to receive confidential legal advice from the Board's attorney.

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1) CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners Legislative Committee was called to order by Dr. Bohanske at 8:00 a.m. on June 28, 2019.

2) ROLL CALL

Legislative Committee Members Present

Bob Bohanske, Ph.D., FNAP, -Chair
Janice K. Brundage, Ph.D.
Bryan Davey, Ph.D., BCBA-D

Staff Present

Jenna Jones, Executive Director
Krishna Poe, Administrative Assistant
Jennifer Michaelson, Deputy Director

Others present

Jeanne Galvin, AAG
Phil Barry, Ph.D.

3) APPROVAL OF MINUTES

- March 18, 2019, Regular Session

Dr. Brundage made a motion, seconded by Dr. Bohanske, to approve the March 18, 2019, regular session minutes as drafted. The motion carried unanimously (2-0), by a voice vote with Dr. Davey recusing.

4) REVIEW, DISCUSSION AND CONSIDERATION OF PROPOSED STATUTE CHANGES FOR NEXT LEGISLATIVE SESSION

a. Fingerprinting

1. Initial licensure
2. Renewal licensure

Ms. Jones provided a summary of the Auditor General's recommendations regarding background checks at initial licensure as well as at renewal. The recommendation for the renewal would be the first in the state as other regulatory boards do not require verification at renewal. She outlined the Board's previous discussion and decision to pursue the fingerprint clearance card (FCC) versus criminal background checks as there were many benefits to it, especially if the Board were to adopt the Audit's recommendation for verification at renewal. The FCC has a 6 year effective date and many licensees already have one.

Dr. Bohanske discussed the details of the card's acceptance and need to make sure the applicant has one at the time of application and renewal and that it is valid (maintained) during the licensure period.

Ms. Jones presented language from other agencies statutes (Pharmacy Board) that use the FCC along with language that would allow the Board to have discretion to grant a license if an applicant or renewal applicant is not granted a fingerprint clearance card (ARS §32-1904 (6)). Ms. Galvin suggested that the Board may consider or research if it is possible for the Board to be added as an agency that is notified by DPS if a FCC holder is arrested or charged with a crime. The committee asked Ms. Jones to look into that further.

Dr. Barry, representing the Arizona Psychological Association, stated the association supports the statute change requiring the FCC for initial and renewal licensure.

Dr. Brundage made a motion, seconded by Dr. Davey to recommend to the Board that a statute change be added regarding the requirement for a FCC at the time of initial licensure and renewal. The motion carried unanimously (3-0) by a voice vote.

b. Waiver of EPPP for those licensed greater than 20 years in another state

Ms. Jones provided a background that this concern, along with the discussion of waiving the review of course work for those applicants that had been licensed greater than 20 years was discussed at ARC and prior board meetings. The matter was referred to the Legislative Committee for further consideration.

Dr. Bohanske asked if HB2569 might address this issue. Ms. Jones reported that the AG's office should be presenting a legal opinion in the next week about HB2569. Dr. Bohanske discussed concerns that those licensed in other states as industrial or non-health care providers may be licensed as health care psychologists in Arizona if they apply under HB2569. The Board has previously denied applicants that did not have the proper educational requirements and training, as outlined in statute, and it appears 2569 will not support the same. Ms. Galvin advised a legal opinion should be out in the near future addressing the new statutory requirements under 2569.

Dr. Bohanske suggested the committee hold the discussion on this matter until after the AG opinion is received. The consensus was to hold the matter for further information. The committee discussed the timeframe for seeking legislative changes. Ms. Jones advised that she would like to complete the stakeholder meetings and have direction from the Board on changes that need to be made by the end of this summer. She would then approach a possible sponsor to open a folder in September or October. With a folder being opened she can begin to work with legislative counsel on language and then be in a position to secure a sponsor in November. She also reported the Governor's office usually asks agencies to report any proposed legislation by mid-November.

c. Licensure requirements that may affect Argosy students impacted by closure

Dr. Barry stated that the association is in support of seeking ways to assist the Argosy students obtain licensure. He suggested a few ideas of how the statutes might be modified without mentioning the program's name and potentially addressing a specific timeframe.

Dr. Bohanske identified two options, 1) striking the language regarding 18 units or 2) modifying the language to drop the "degree granting institution" or carving out timeframes as Dr. Barry suggested.

Dr. Brundage asked if an Executive Order could be a solution?

Dr. Brundage made a motion, seconded by Dr. Davey, to move forward with a recommendation to the Board to address both ARS §32-2071 (A)(5) and 32-2071 (K) with a statutory change so a barrier to Argosy students does not exist. The intent is to modify the existing language but how that is best done would need to be determined and it may take consultation with leg council. The motion carried unanimously (3-0), by a voice vote.

d. Claim process

Ms. Jones stated this issue was included because it had been brought up at various Board meetings. The committee members discussed their concerns with the current statutory requirement, but there was a consensus to table the item and discuss it at a future meeting. The committee also noted they would want to receive feedback from the association on this issue and asked Ms. Jones to follow up with them.

e. Any other items

There were no other items.

5) REVIEW, DISCUSSION AND CONSIDERATION OF FUTURE AGENDA ITEMS

None noted.

6) ADJOURN

There being no further business to come before the Committee, Dr. Brundage made a motion, seconded by Dr. Davey, to adjourn the meeting at 9:01 a.m. The motion carried unanimously (3-0), by a voice vote.