



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 Meeting Minutes

Held virtually via Zoom on July 9, 2020

Board Members

Tamara Shreeve, MPA – Chair
Diana Davis-Wilson, DBH, BCBA, PH.D. – Vice-Chair
Lynn L. Flowers, PH.D. – Secretary
Bob Bohanske, Ph.D., FNAP
Bryan Davey, Ph.D., BCBA-D
Aditya Dynar, Esq.
Stephen Gill, Ph.D.
Melanie Laboy, Esq.
Mathew A. Meier, Psy.D.
Ramona N. Mellott, Ph.D.

1. CALL TO ORDER

Chairwoman Shreeve called the Board's meeting to order at 7:47 a.m.

2. ROLL CALL

The following Board members participated in the virtual meeting: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

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; Krishna Poe, Programs and Projects Specialist; and, Andrea Cisneros, Minutes Administrator.

3. REMARKS/ANNOUNCEMENTS

This item was introduced around 7:50 a.m.

- **Presentation of Plaque to Bob Bohanske, Ph.D., for Distinguished Service in Regulation**

Chairwoman Shreeve stated that it was an honor and pleasure to present Dr. Bohanske with this award for his distinguished service in regulation. She pointed out that Dr. Bohanske has served on the Board since 2010 and that his accomplishments include championing legislation resulting in Arizona being the first to implement the interstate compact PSYPACT, and helped shape a number of other important regulatory policy decisions. Chairwoman Shreeve also recognized Dr. Bohanske for his extensive history in training future psychologists and providing professional development to psychologists currently practicing. Dr. Mellott commented that she has served on the Board with Dr. Bohanske for some time, and has had the distinct pleasure of getting to know him in many capacities over the last ten years. Dr. Mellott recognized that Dr. Bohanske has created the largest internship program in the State of Arizona, and has provided a tremendous service in training psychologists to enter public health serving the indigent. Dr. Mellott added that Dr. Bohanske has created a wonderful opportunity for Arizona psychology students that is not only valuable but also accredited, which is critical for students seeking licensure.

Dr. Bohanske stated it was wonderful to receive the plaque and recognition, and reported that he has applied to serve another term on the Board. Dr. Bohanske stated that he loved the work, the people he works with, and the job of trying to make Arizona the strongest state in terms of psychology and service to the public. Dr. Bohanske thanked the Board and staff for their efforts. Chairwoman Shreeve stated that it was well-deserved, and that Dr. Bohanske has been an incredible asset to the State and field of psychology.

- **Recognition of Board member for completion of his five-year appointment to the Arizona Board of Psychologist Examiners and presentation of plaque – Lynn Flowers, Ph.D.**

Chairwoman Shreeve recognized Dr. Flowers for the completion of his five-year appointment, and reported that his successor will be starting her term in August 2020. Chairwoman Shreeve thanked Dr. Flowers for his dedication and enthusiasm for his role in protecting the public, and stated that Arizona is better for it. Chairwoman Shreeve presented Dr. Flowers with a plaque and expressed her gratitude for his time and efforts on the Board. Dr. Mellott thanked Dr. Flowers for his service, and recognized his incredible attention to detail. Dr. Mellott stated that she appreciated having served on the Board's committees with Dr. Flowers, and that he will be missed.

Dr. Flowers stated that he was grateful for serving on the Board, and that it has been a great learning experience. Dr. Flowers stated that he enjoyed working with the members of the Board, both past and present, as well as Board staff. Dr. Flowers added that it has been a privilege working with the Board and staff, and that they will be greatly missed. Chairwoman Shreeve thanked Dr. Flowers for his time and service on the Board.

- **Welcome to New Board Member – Melanie Laboy, Esq.**

The Board welcomed newly appointed public member, Ms. Laboy.

Ms. Laboy introduced herself to the Board, and stated that she practices criminal defense law. She stated that psychology has always been of interest, and that she has had a lot of interaction with psychologists in various arenas over the course of her law career. Ms. Laboy added that she recognizes the importance of having good people practicing in this field, and is excited to be a part of the Board. Chairwoman Shreeve welcomed Ms. Laboy to the Board and encouraged her to reach out to staff should she have questions.

- **Board Surveys**

Chairwoman Shreeve encouraged meeting attendees to contact staff to complete a Board Meeting Assessment Survey.

- **Board Member and Staff Appreciation**

Chairwoman Shreeve acknowledged and thanked Board members and staff for their efforts in facilitating the Board's meeting.

4. CALL TO THE PUBLIC

No individuals addressed the Board during the Call to the Public held at 8:10 a.m.

5. COUNSEL UPDATE

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

AAG Galvin reported that the case involving Dr. John DenBoer was considered by the Superior Court who found in favor of the Board in its interpretation and application of statute in this case. Dr. DenBoer pursued further appeal at the Court of Appeals who found in favor of the Board and upheld the ruling. Subsequently,

Dr. DenBoer requested the Supreme Court take jurisdiction over the matter and review his appeal. The Supreme Court declined to accept the case and the Board's decision stands.

AAG Galvin also reported that a case at Superior Court involving Dr. Gray was concluded.

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

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

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

SECOND: Dr. Mellott

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse (one recusal noted under agenda item number E.5. as referenced herein), 0-absent.

MOTION PASSED.

A. APPROVAL OF MINUTES

- June 5, 2020 Regular Session Minutes
- June 5, 2020 Executive Session Minutes

B. EXECUTIVE DIRECTOR'S REPORT

C. STATUS UPDATE ON THE CONTINUING EDUCATION (CE) AUDIT FOR THE 2015-2017 LICENSE RENEWAL CYCLE

D. DISCUSSION/DECISION REGARDING PSYCHOLOGIST APPLICATIONS

Requesting Approval to Sit for Examination (EPPP) Only

- 1) Ashleigh Rankin, Psy.D.

Requesting Approval to Sit for Examination (EPPP) & Licensure

- 1) Dustin Howard, Psy.D.

Requesting Approval for Licensure by Waiver

- 1) Amanda Graham, Psy.D.
- 2) Stephanie C. Babbitt, Ph.D.
- 3) Todd F. Deneen, Psy.D.

Requesting Approval of Temporary Licensure and to Sit for EPPP

- 1) Evan Lockary, Psy.D.

Requesting Approval for Licensure by Credential

- 1) James Ashley Robin Glynn, Psy.D.
- 2) Kay Marie Beaulieu, Psy.D.

Requesting Approval for Licensure by Universal Recognition

- 1) Daniel Pallesen, Psy.D.
- 2) Sandra Lynn Novak, Psy.D.
- 3) Sarah L. Kennedy, Ph.D.

E. DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- 1) Anne Kathleen Palmer, M.S.
- 2) Ashley E. Adams, M.Ed.
- 3) Brea Furman, M.Ed.
- 4) Judith Johnson, M.Ed.
- 5) Michal Reed, M.Ed.

Vice-Chairwoman Davis-Wilson was recused from this item.

- 6) Nancy J. Potter, M.A.
- 7) Samantha Murdoch, M.Ed.
- 8) Christan Griffin, M.Ed. (Universal Recognition)

F. DISCUSSION, CONSIDERATION AND ACTION REGARDING REQUEST TO RE-TAKE THE EPPP FROM GENARO HUERTA, PSY.D., TEMPORARY LICENSE HOLDER NO. PSY-T-000007

TIMED ITEM – 8:00 a.m.

7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO THE COMMITTEE ON BEHAVIOR ANALYSIS RECOMMENDATION REGARDING THE FOLLOWING COMPLAINT AND/OR INITIAL CASE REVIEW OF THE FOLLOWING COMPLAINT

a) Complaint No. 20-25 Robyn Marian, M.A. (Dr. Davis-Wilson)

This item was introduced around 8:13 a.m.

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

Vice-Chairwoman Davis-Wilson summarized that the Board received a complaint from a speech therapist regarding concerns related to multidisciplinary treatment of mutual clients. The complainant alleged that the licensee provided services outside of her ability, approval to work, and billing through insurance companies. The complainant also claimed that the licensee provided services that contradicted the treatment being provided by other therapists. In her timely response to the complaint, Ms. Marian stated that her role was not to provide treatment to the patients, but rather, to provide consultative support to clinicians as a director of organization. The Complaint Screening Committee reviewed the case and concerns were raised regarding obtaining consent for her role on the team as well as the behavior analyst code used for providing third-party involvement. The Committee concluded that the circumstances did not rise to the level of statutory violations and encouraged the licensee to engage in professional development, noting that some correspondences received lacked professional demeanor.

Ms. Karvis pointed out that the source of this complaint came from a former employee who they believe was disgruntled with their employment situation. Ms. Karvis reported that Ms. Marian has voluntarily completed several hours of continuing education in the areas of ethics and multidisciplinary work to address the concerns raised in this case. She also reported that Ms. Marian has instituted changes in her practice relating to consent procedures, and are working towards making further internal changes to ensure that these types of issues do not reoccur.

Vice-Chairwoman Davis-Wilson noted that Ms. Marian provided the documentation requested by the Complaint Screening Committee. She observed that the licensee provided additional documentation of procedures that she has either put in place at the clinic or will be putting into place to ensure that the roles are better defined. Vice-Chairwoman Davis-Wilson noted that the Committee encouraged the licensee to continue exploring professional development in the

specific area of providing services with multidisciplinary team, and noted that while some of the correspondences reviewed were specific to employee relations, the Board expects that correspondence to remain professional.

MOTION: Vice-Chairwoman Davis-Wilson moved for the Board to issue a Letter of Concern for concerns relating to professional correspondence and clearly identifying her role in the consent forms.

SECOND: Dr. Davey

Dr. Bohanske spoke in support of the motion, and commented that while the field of psychology is entering into an era of integrated care, training is needed for professionals to interact collaboratively in the vast majority of services that are now available. Chairwoman Davis-Wilson agreed with Dr. Bohanske's comments and reiterated that the Committee recommended the licensee explore professional development specific to coordination of care. Dr. Bohanske added that there are no rules in place that provide guidance for professionals in terms of training that is needed for providing services remotely.

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

b) Complaint No. 20-38 Corinna Ndolo, M.Ed (Dr. Davis-Wilson)

This item was introduced around 8:30 a.m.

Ms. Ndolo and Attorney Dr. Faren Akins participated in the virtual meeting during the Board's consideration of this matter.

Vice-Chairwoman Davis-Wilson summarized that an application was received from a Behavior Analyst who reported supervision hours under Ms. Ndolo. It was noted during that review that Ms. Ndolo's license lapsed during the time period of supervision. During the time in which the lapse of licensure occurred, Board staff was not able to reach the licensee despite sending multiple reminders. The license was reinstated after Ms. Ndolo contacted the Board, and an affidavit was received indicating that Ms. Ndolo did not provide services during that time. Supplemental supporting documentation was submitted to the Board clarifying that supervision was put on hold for the licensee and no supervision was provided during that timeframe. The Complaint Screening Committee noted that a clerical error occurred in citing the period for supervised hours that did not take place, and recommended issuing a Letter of Concern specific to documentation and lack of clarification that supervision was not provided during that time.

Dr. Akins stated that the Board's summary was accurate and that his client accepts the recommendation for Letter of Concern. The Board questioned the licensee regarding what she has learned from this process, and what procedures have been put in place to prevent a reoccurrence. Ms. Ndolo explained that this was a difficult lesson learned in making sure she is tending to administrative tasks as much as she is tending to the people they serve in their organization. She reported that since this case occurred, she has hired a Director of Operations for the organization and has been focusing more on administrative tasks. Chairwoman Shreeve questioned the licensee as to how she will ensure that another lapse in licensure does not occur in the future. Ms. Ndolo reported that she is not taking on any supervision students or clients, and has taken a step back from other commitments in order to focus on the mission of the organization and her primary responsibilities.

Vice-Chairwoman Davis-Wilson noted that the Committee also had concerns regarding the

licensee's lack of correspondence with the Board during 2018. The Board noted that during the Committee's review of this case, the licensee provided an overview of her self-reflection and demonstrated that mechanisms have been put in place that mitigate the finding of a statutory violation.

MOTION: Vice-Chairwoman Davis-Wilson moved for the Board to issue a Letter of Concern for supervision documentation and correspondence from 2018 with the Board.

SECOND: Dr. Bohanske

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

TIMED ITEM – 8:15 a.m.

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

a) Complaint No. 20-27 Lisa Galper, Psy.D. (Dr. Meier)

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

Dr. Galper and Attorney David Dericksen participated in the virtual meeting during the Board's consideration of this matter. Complainant HB also participated in the virtual meeting.

Dr. Meier summarized that Dr. Galper provided individual and group therapy to HB between May and December of 2019. HB alleged several unethical concerns including disclosure of confidential information without authorization or release, consumption of alcohol during a session, boundary violations, recordkeeping issues, and unprofessionalism. The Complaint Screening Committee identified inappropriate text communications with the client as well as unprofessional boundaries and concerns relating to consent for treatment. The Committee found possible violations of A.R.S. § 32-2061.16(H), (O), and (DD) as it pertains to 3.04 and 3.10.

HB stated that Dr. Galper's renditions of the events were dishonest and that she was not truthful with the Committee. HB commented that she felt Dr. Galper lacked compassion for the specific patient demographic, and that the records she provided were of no clinical value. HB added that Dr. Galper denied her referrals and used her clinical authority to assert that the problem lied with the patient. Dr. Gill questioned the complainant regarding the alleged confidentiality violations. HB explained that during therapy sessions, Dr. Galper made inappropriate comments regarding other building tenants, a former employer, and other clients. Dr. Gill also questioned HB regarding whether there was initial informed consent outlining the boundaries relating to text messaging between the therapist and patient. HB stated that she did not recall discussing text messaging with the therapist, and that she was encouraged by Dr. Galper to text her at any time to engage in a dialogue if she encountered issues in her life. She stated that there was no structure or limitations to the text messaging.

Mr. Dericksen stated that they provided the Board with materials wherein the licensee admitted that there was a violation of informed consent and reported that she has implemented a new telemedicine consent form. Mr. Dericksen stated that a number of issues raised by HB were not part of the original complaint and apologized for the delay in submitting records for review, pointing out that the psychologist's prior counsel failed to forward records to the Board. He stated that Dr. Galper also admitted that she failed to set forth proper boundaries to ensure text messages were exchanged in a more professional manner. Mr. Dericksen stated that Dr. Galper has been a psychologist for 21 years with no prior Board history. He stated that the records demonstrate that the program provided was appropriate and necessary for this case.

Dr. Flowers questioned the licensee with regard to the lack of a documented diagnosis in the patient's chart. Dr. Galper explained that her documentation of HB's treatment focused on the patient's behaviors and that she did not focus on a specific diagnosis. Dr. Flowers also questioned Dr. Galper regarding the lack of a mental examination and documentation regarding the presence of risk factors for self-harm or harm to others. Dr. Galper stated that the initial intake paperwork is filled out by the client and addresses those particular subjects. Dr. Meier stated that based on his review of the Board's case file, there appeared to be a failure to meet the standard of care in this case. Dr. Galper stated that over the last year or so she has learned how treatment plans should look, as they have evolved and changed since her training. Dr. Galper stated that she reviewed the chart from May of 2018 to November of 2019 and did not note any issues. She reported that she spent a lot of time focused on validation and trying to figure out the right language to help the patient feel comfortable and validated. She explained that the missing note from June 21st was a result of an electronic health record application on which she writes psychotherapy notes and her assistant would then print. She stated that her assistant confirmed that a total of three notes had been deleted inadvertently from the application. Dr. Meier questioned the tones used and context of the text messages between the licensee and the patient. Dr. Galper stated that at some point in October of 2019, the client began to become forceful with her, and that she let herself get intimidated and lost her objectivity. She stated that the text messages were therapy specific and appropriate until October when she started to fear that she could not give the client what she wanted. Dr. Galper stated that she asked the patient to stop texting her in November and that she understood how that may have caused HB to feel hurt or confused. Dr. Galper stated that she had not used text messaging with a client in the past, and has no plans to do so going forward.

Dr. Bohanske questioned whether Dr. Galper's other clients' records also lacked a service plan that meets the standard of care expected of Arizona licensees, and stated his concerns relating to the licensee's comments that the patient filled out the intake information regarding risk factors and mental status examination. Dr. Bohanske commented that a client filling out background information and basic information is not considered an assessment. He stated that based on his review of the file, there was a lack of follow up to assess the client for improvement versus deterioration. Dr. Galper stated that she is incredibly thorough and a highly detail-oriented individual. She stated that she has been working on creating better treatment plans and has been actively pursuing continuing education units.

During the Board's deliberations, Dr. Meier stated he found that there were boundary issues, and significant issues with records, training, and unprofessional conduct in the services provided. Dr. Flowers agreed with Dr. Meier's comments, and recognized the changes in practice reported by the licensee. Dr. Mellott commented that licensees are expected to maintain professionalism regardless of the modality of communication used. The Board discussed HB's allegations of confidentiality issues, and after further questioning of the parties, the Board noted that no personal information was disclosed regarding Dr. Galper's clients. Dr. Meier stated that while he found there were boundary issues involved in this case, there did not appear to be an intentional breach of confidentiality.

MOTION: Dr. Meier moved for the Board to proceed to Informal Interview in this matter with potential violations of A.R.S. § 32-2061.16(H), (O), and (DD) as it pertains to 3.04 and 3.10.

SECOND: Dr. Flowers

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

b) Complaint No. 20-41 Scott Padilla, Psy.D. (Dr. Meier)

This item was introduced around 10:14 a.m.

Dr. Padilla and Complainant LD participated in the virtual meeting during the Board's consideration of this matter. Dr. Meier summarized that prior to obtaining licensure in Arizona, Dr. Padilla practiced psychology in Virginia from 2013 to 2018. The Board noted that Dr. Padilla provided individual services to LD from July 2014 to 2017. LD filed a complaint alleging that Dr. Padilla engaged in an inappropriate dual relationship with her throughout treatment that continued until she ended things in November of 2018. LD stated that she came forward and filed the complaint after hearing of other allegations made against the licensee that caused her to realize that her relationship with him was inappropriate, unethical and harmful. LD indicated that she expressed to Dr. Padilla on numerous occasions that she felt the therapy made her increasingly more dependent on him for comfort and a sense of security. The Board observed that as a result of a previous case, Dr. Padilla is currently subject to practice monitoring.

LD stated that over the course of the three years she received treatment from Dr. Padilla, her condition deteriorated in that she became more dependent on him, was self-harming, and developed an eating disorder that resulted in the loss of a dangerous amount of weight. LD stated that she was eventually admitted for treatment when her family intervened, and that no goals were achieved through treatment. LD reported that she has required years of intensive trauma therapy, and that she had difficulties with the psychologist moving from Virginia because she had fostered a deep dependence on him. In response to Dr. Bohanske's questioning, LD confirmed that no professional services were provided in Arizona. She reported that they continued a personal relationship after the licensee relocated to Arizona, until she ended the relationship in November of 2018. LD stated that she continues to see an individual therapist and participates in group therapy in Virginia.

Dr. Padilla stated that he did not want to take a posture of defense against what has been stated by the complainant. He admitted that prior to moving to Arizona, he had a very loose and questionable understanding of professional ethical standards of behavior within the capacity of a therapist. He stated that he cared a great deal for this client and her well-being, and understands that LD questioned whether his interactions with her were self-serving and centered around his own ego and needs. Dr. Padilla stated that LD's needs were the most intensive of any clients he had at the time, and that he felt he was able to help her conquer her demons and overcome her difficulties. He stated that the Board very clearly educated him and illuminated for him how inappropriate his approaches to treatment were, and was taken to task on similar behaviors in his treatment of a client here in Arizona. Dr. Padilla added that his practice approach has changed insurmountably since that time.

Dr. Meier stated his concerns regarding the similarities with this case and the prior case adjudicated by the Board. He questioned whether the psychologist engaged in similar behaviors with other clients and whether this is ongoing in his practice. Dr. Padilla explained that LD is the only client who utilized his accessibility and availability to anywhere near the level that she did. He stated that LD was the only client who would show up at his office before or after hours for a hug or reality check, call or text all night long, and meet for meetings outside of the office. Dr. Padilla clarified that a lot of their interactions occurred after treatment had ended. Dr. Meier noted that the licensee was asked in the previous case whether he had engaged in similar behaviors with any other clients outside of the one involved in that case, and did not disclose the situation with LD at that time. Dr. Padilla stated he believed that his relationship with LD had terminated by the time the Board was discussing the prior complaint and was unclear as to whether the Board's question regarded past or ongoing clients.

Dr. Padilla responded to Dr. Flowers' line of questioning, confirming that LD's allegations in this case were true and accurate. He also explained that LD's records were unavailable as they

had been destroyed during a rodent invasion of his shed. Dr. Padilla clarified that Virginia statute requires five years for records retention. He stated that when he went to retrieve holiday decorations from his locked shed in December of 2018, he discovered that the box containing LD's records had been eviscerated by rats and were not salvageable. He reported that he currently uses an electronic health records system that retains all records.

Dr. Gill stated his concerns regarding the patient's suicidal ideation and self-harm, and questioned the licensee as to whether he at any time referred LD for psychiatric evaluation and treatment. Dr. Padilla stated that he used his clinical judgment at the time based on his familiarity with this client and did not think that she was actually in danger of harming herself. He stated that he felt he was being tested by the client as to how he would respond to the situation. Dr. Padilla stated that in hindsight, he sees that he was wrong and pointed out that LD's subsequent hospitalization was found very effective. Dr. Padilla assured the Board that he no longer engages in similar behavior with clients, and stated that he has seen a therapist and realigned his priorities. He stated that he is now more aware of how to maintain ethical standards and has a monitor to ensure it.

The Board observed that the Practice Monitor has submitted two quarterly reports regarding Dr. Padilla's practice, and that the last report discussed the current complaint. The Practice Monitor recommended that Dr. Padilla continue with monitoring and further development. Dr. Padilla stated that he has learned from engaging with the Practice Monitor and welcomed the continuation of monitoring. Dr. Mellott questioned the licensee as to whether he had received any supervised training after entering private practice. Dr. Padilla stated that he spent a postdoctoral year at a group practice in Virginia with weekly supervision that involved reviewing cases and discussing interventions. Dr. Mellott stated her concerns regarding the two similar cases, and that the licensee had not realized any of the identified concerns prior to the matters being reported to the Board.

Dr. Meier stated his concerns regarding the similarities in the prior and current cases, and spoke in support of proceeding to Informal Interview with potential statutory violations.

MOTION: Dr. Meier moved for the Board to proceed to Informal Interview in this matter with potential violations of A.R.S. § 32-2061.16(E), (H), (O), and (DD) as it pertains to 3.05, 3.04, and 3.08.

SECOND: Dr. Flowers

The Board instructed staff to require the Practice Monitor to participate in the Informal Interview to discuss the situation further.

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-abstain.

MOTION PASSED.

c) Complaint No. 20-35 Sarette Zecharia, Ph.D. (Ms. Shreeve)

This item was introduced around 11:16 a.m.

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

Chairwoman Shreeve summarized that Dr. Zecharia provided supervision to a psychologist intern who was pending Arizona licensure. The psychologist intern provided counseling services to RJ and his fiancé JW as well as the minor son. The complaints alleged that the psychologist intern

had a conflict of interest in counseling RJ's ex-wife at the time she was seeing his fiancé JW given that they all came from the same sorority. The complainants alleged that the psychologist intern wore a coat that identified her as a clinical psychologist when she was not, and that RJ thought he was being seen by a clinical psychologist. Billing concerns were also raised in that Dr. Zecharia's NPI number was used to bill for services provided by the psychologist intern. The issues identified in this case involved a lack of a written supervision agreement between Dr. Zecharia and the psychologist intern, whether the clients were aware of Dr. Zecharia and the psychologist intern's roles in their treatment, and billing concerns. The Complaint Screening Committee noted that Dr. Zecharia reported voluntary completion of continuing education units in supervision, and reached out to the billing vendor and insurance carriers informing them of the inappropriate billing. The Committee found possible violations of A.R.S. § 32-2061.16(H), (K) relating to R4-26-209, and (DD) as it pertains to 7.06 and 10.02.

RJ expressed concerns regarding the licensee's statements to the Committee regarding the supervision and billing issues. He reported that he filed a claim with Blue Cross/Blue Shield that is currently under review. RJ questioned whether the diagnoses listed on the billing forms were valid and pointed out that he had to seek out another therapist on his own. RJ stated that the employer, licensee and psychologist intern have not taken this matter seriously, and that the alleged misconduct has been occurring regularly within the company. JW reported that her billing statements from July 26, 2019 and July 29, 2019 were reviewed by United Health Care who found a discrepancy of Dr. Zecharia's NPI number being used for the services provided by the psychologist intern.

Mr. Ager stated that the concerns raised in this case were not completely under Dr. Zecharia's control as it relates to billing and supervision. He reported that Dr. Zecharia is no longer employed by the company and that there is active litigation between Dr. Zecharia and her prior employer. Mr. Ager stated that the company is its own corporate entity who utilizes its own agents and outside systems for billing patients. He stated that the patients in this case consented to receiving services from the psychologist intern and a number of bills were submitted to the insurance companies under Dr. Zecharia's NPI number. Mr. Ager informed the Board that when Dr. Zecharia became aware that this was a potential issue, she had some concerns and needed other billing arrangements, and immediately notified the health insurance providers of the issues with her NPI number. Mr. Ager reported that Dr. Zecharia completed over 30 units of continuing education since these issues were brought to her attention, in the areas of billing and supervision. Mr. Ager added that Dr. Zecharia recognized that her supervision documentation could have been better, and that she knows the importance of documenting supervision.

In response to Chairwoman Shreeve's questioning, Dr. Zecharia confirmed that she was aware that RJ and his son were being seen, but that she did not understand the interconnectedness of it all. Dr. Flowers stated his concerns regarding the licensee's responsibilities with regard to supervising the intern, whether a written supervision agreement was maintained, and what information was provided to the clients regarding her role in their care. Dr. Zecharia explained that she has learned a lot about who to reach out to through difficult continuing education courses she completed, that the intern informed the clients of her supervision role, and that the informed consent form signed by the clients also informs them of their roles. Dr. Zecharia reported that she has made changes to her practice to ensure that she does not find herself in this position again. In response to further questioning by Dr. Flowers, Mr. Ager stated that Dr. Zecharia denies the allegations made by her former employer in the civil lawsuit. Dr. Zecharia stated that she none of the patients in her current practice were from the former employer.

During Dr. Bohanske's line of questioning, Dr. Zecharia confirmed that she currently supervises interns and that the consent for treatment forms provide patients with her contact information should they have any concerns and need to reach her. In response to Dr. Meier's questioning, she stated that she met with the intern after seeing clients to review and sign off on the chart before

sending the file out for billing. Dr. Zecharia stated that she completed six weeks of training to rectify the billing issues raised in this case.

Chairwoman Shreeve stated that she found that there were likely statutory violations identified in this case, and noted that the licensee has done a good faith effort in reconciling some of the issues raised. Chairwoman Shreeve spoke in support of the Committee's recommendations in this case. Dr. Flowers stated that he had a number of concerns in this matter, including supervision of the intern and the lack of a documented training agreement. Dr. Gill agreed with the Chair's comments and also spoke in support of the Committee's recommendations. The Board did not find a violation of A.R.S. § 32-2061.16(K) which relates to the hours of professional experience which were noted to have been provided by a different supervisor.

MOTION: Chairwoman Shreeve moved for the Board to proceed to Informal Interview in this matter with potential violations to include A.R.S. § 32-2061.16(H) and (DD) as it pertains to 7.06 and 10.02.

SECOND: Dr. Flowers

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING COMPLAINT NO. 20-36 FOR MARILYN WILEY, PSY.D., AND ON PENDING PSYCHOLOGIST APPLICATION FROM MARILYN WILEY, INCLUDING POSSIBLE DENIAL OF THE SAME

This item was introduced around 11:58 a.m.

Dr. Wiley and Attorney Cary Lackey participated in the virtual meeting during the Board's consideration of this matter. Complainants RJ and JW also participated in the virtual meeting.

Chairwoman Shreeve summarized that Dr. Wiley has a pending license application and that she had been practicing as a psychologist associate for Vibrant Health from October 2017 to January 2020. The Board noted that Dr. Wiley provided services under Dr. Zecharia, the psychologist involved in the case considered under agenda item number 8.c. RJ and JW filed complaints with the Board alleging boundary violations, issues regarding dual relationships, and concerns relating to billing under Dr. Zecharia's NPI number for services provided by Dr. Wiley. RJ reported that he had never met Dr. Zecharia, and was concerned that Dr. Wiley was practicing without a license. The complaints also alleged that Dr. Wiley should not have seen JW due to a conflict of interest. The Complaint Screening Committee reviewed the case and determined possible violations of A.R.S. § 32-2061.16(G), (O), and (DD) as it pertains to 3.05, 3.10, 4.05 and 3.11.

RJ stated that he has not known Dr. Wiley as anything other than a clinical psychologist. He alleged that Dr. Wiley had no concerns regarding establishing multiple relationships, and has bragged about having firearms in the clinical setting on her social media pages. RJ stated that Dr. Wiley created dual relationships by inviting patients to her home for parties and social gatherings, and that she shared information from their sessions to other members of her sorority. JW stated that she saw Dr. Wiley for two sessions where she discussed personal issues regarding her relationship with RJ and also expressed issues regarding RJ's prior marriage. JW also claimed that Dr. Wiley made comments expressing that RJ had anger issues and made threats of violence towards his ex-wife. JW reported that United Health Care investigated the billing concerns and that the matter resulted in settlement.

Mr. Lackey stated that Dr. Wiley takes this matter very seriously and that she denied the allegations regarding her representing herself as a psychologist. Mr. Lackey stated that the supervision in this case

could have been better, and pointed out that Dr. Zecharia testified in the previous case that Dr. Wiley informed the clients of the supervision relationship to address the allegations that the clients were not aware of her role as a psychologist intern. Mr. Lackey stated that Dr. Wiley had no authority with regard to the billing, and that the concerns relating to interpersonal conflicts had a lot to do with the lack of supervision.

In response to Chairwoman Shreeve's line of questioning, Dr. Wiley confirmed that she was aware that JW and RJ's ex-wife were from the same sorority. Dr. Wiley explained that when JW first presented to her office, she declined to see her as a client and instructed the front desk to bill the visit as a consultation. Dr. Wiley stated that JW returned for the second visit and recorded the conversation to report it to the Board as being more personal than therapeutic in nature, to which Dr. Wiley agreed as she did not feel it was appropriate to treat her. Dr. Wiley clarified that she saw RJ and his ex-wife for life coaching, and that Dr. Zecharia was aware of this but the discussion was not documented. Dr. Wiley reported that her life coach clients have access to her at all times, and that boundaries were not put into place when RJ came to see her at Vibrant Health for therapy services.

Dr. Flowers observed that Dr. Wiley prepared a consultation note in relation to JW's first visit and questioned why the chart was generated if she refused to treat JW as a client. Dr. Wiley stated that because JW scheduled an appointment with her, the chart was automatically generated and that she needed to enter information in order to clear the chart from the system's queue. Dr. Flowers commented that psychologists and trainees should avoid engaging in multiple roles with clients, and questioned Dr. Wiley regarding the allegation that she discussed with RJ that a counselor in the office was interested in him. Dr. Wiley stated that she was not trying to avoid multiple relationships with clients, and pointed out that RJ, his ex-wife, and his son were the only clients that transitioned over from life coaching services to therapy. Dr. Wiley stated that the level of supervision provided at Vibrant Health was unacceptable as she claimed that Dr. Zecharia was rarely onsite and did not often with her to discuss cases. She stated that their communications were done through electronic means, and that she did not find it concerning given her familiarity with the clients and the hours of supervision she had already received under another supervisor. Dr. Wiley reported that she was not aware that RJ and JW had concerns regarding her services, and explained that she carried a weapon when leaving the office for self-protection and assured the Board that she does not carry a weapon during sessions.

Dr. Wiley explained in response to Dr. Mellott's questioning that she had not engaged in dual relationships in the past, and that during her time at Vibrant, there was no structure, organization, or discussions regarding how to proceed in the dual relationship. Dr. Wiley stated that she advocated to Dr. Zecharia to allow her to see RJ at Vibrant Health as Dr. Wiley felt he was in a bad place at the time. Dr. Gill commented that the care required for multiple family members is beyond the ability of most therapists to manage effectively without other therapists providing services to the family members. He stated that he did not find documentation explaining the roles each family member played and the treatment provided. Dr. Wiley stated that because she was seeing the clients for life coaching for some time, her main focus was to remain unbiased, which she believes she did and pointed out that RJ and his ex-wife moved on with their separate lives. Dr. Gill questioned Dr. Wiley as to how clients were informed that she was no longer providing therapeutic services after Dr. Zecharia's departure from Vibrant Health. Dr. Wiley stated that she met with clients and explained to them that she was not providing therapy services, that they could continue to see her for life coaching, and that she also explained to them the differences in those services. Dr. Gill questioned whether these discussions were documented to clarify the differences in goals and that Dr. Wiley's role had changed. Dr. Wiley confirmed that the discussions were documented and pointed out that the sessions were coded as life coaching services.

Dr. Meier noted that JW's record identified a diagnosis and referred to JW as a patient. Dr. Wiley stated that she did not recall entering a diagnosis on the forms for JW, and reported that when she left forms blank someone from the practice often followed up and entered additional information in the chart. Dr. Wiley reported that she is currently not working with the exception of accepting life coaching clients on occasion. The Board noted that Dr. Wiley's website listed services for life coaching and therapy, and that she was the only individual referenced on the site. Dr. Wiley explained that she initially planned to enter into a business

venture with a licensed therapist who ultimately did not want to pursue the business partnership. She stated that she created the business and disagreed with Dr. Meier's comments that the website made it appear as though she was providing psychological services.

Board staff reported that RJ and JW's life coaching records were subpoenaed, but were not obtained in this case. Dr. Wiley clarified that her computer system crashed causing her to lose all of the data and she could not retrieve the records. Dr. Meier questioned Dr. Wiley regarding her thoughts on who was responsible for ensuring that the appropriate supervision is occurring. Dr. Wiley stated she believed the both parties were responsible for ensuring supervision was taking place, and that by the time she was ready to discuss her concerns with Dr. Zecharia, she was instructed that Vibrant Health employees could not communicate with her due to the pending lawsuit.

MOTION: Dr. Mellott 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 Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The Board entered into Executive Session at 1:05 p.m.

The Board returned to Open Session at 1:30 p.m.

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

The Board discussed the concerns raised in this case involving dual relationships, note taking issues, breach of confidentiality, and practicing without a license. Chairwoman Shreeve spoke in support of denying the license application based on A.R.S. § 32-2071.01(A)(3), noting the statutory violations proposed by the Complaint Screening Committee.

MOTION: Chairwoman Shreeve moved for the Board to deny the license application based on A.R.S. § 32-2071.01(A)(3), A.R.S. §§32-2061.16(H), (G), (O), and (DD) as it pertains to 3.05 and 6.01.

SECOND: Dr. Meier

Dr. Mellott commented that when these types of infractions are identified, it presents an opportunity to remediate with supervision by a Practice Monitor. Chairwoman Shreeve stated that this was not an option at this time, and Dr. Bohanske pointed out that practice oversight is a measure taken by the Board for individuals already licensed by this Board. Dr. Bohankse stated that applicants are expected to present themselves as having completed appropriate levels of supervision and practice under that supervision to demonstrate that they are qualified for Arizona licensure. Dr. Meier spoke in support of allowing the Dr. Wiley to withdraw the license application within a specific time frame in lieu of formal license denial. AAG Galvin informed the Board that allowing the application to be withdrawn was an available option to resolve the matter, and that this would result in no record of the unprofessional conduct identified by the Board in this case.

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

VOTE: 9-yay, 1-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

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

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO A PROPOSED CONSENT AGREEMENT FOR VOLUNTARY SURRENDER OF PSYCHOLOGIST LICENSE SIGNED BY ROBYN HALL, PSY.D. IN CASE NO. 20-40 AND POSSIBLE MOTION TO VACATE THE FORMAL HEARING

This item was introduced around 2:02 p.m.

Deputy Director Michaelsen summarized that on May 28, 2020, the Board considered this matter and voted to summarily suspend the license. The licensee did not attend those proceedings. The Board also issued an Interim Order for substance abuse evaluation at that time, which required the licensee to complete the evaluation within 45 days. The Formal Hearing was scheduled for July 6, 2020 and the licensee was sent sufficient notice. On June 27, 2020, the licensee emailed the Executive Director requesting the opportunity to surrender the license in lieu of Formal Hearing for license revocation. The Board noted that the Administrative Law Judge granted a continuance of the Formal Hearing on July 1, 2020, and that the licensee has signed a Consent Agreement for Surrender of Licensure.

MOTION: Dr. Bohanske moved for the Board to accept the proposed Consent Agreement for Surrender of Licensure, and to vacate the Formal Hearing in this case.

SECOND: Dr. Flowers

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FROM MEGAN FORD, PSY.D., HOLDER OF TEMPORARY LICENSE NO. PSY-T-000022, FOR APPROVAL OF POSTDOCTORAL TRAINING PLAN MODIFICATION

This item was introduced around 1:45 p.m.

Ms. Fowkes summarized that the licensee holds temporary licensure and has requested approval of postdoctoral training plan modification in that she is adding a second postdoctoral experience that is part time in addition to her current postdoctoral training.

MOTION: Vice-Chairwoman Davis-Wilson moved for the Board to grant the request for postdoctoral training plan modification.

SECOND: Dr. Flowers

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FROM MICAELA REECE-WILLIAMS, PSY.D., HOLDER OF TEMPORARY LICENSE NO. PSY-T-000015, FOR APPROVAL OF POSTDOCTORAL TRAINING PLAN MODIFICATION

This item was introduced around 1:46 p.m.

Ms. Fowkes summarized that Dr. Reece-Williams changed her training site and supervisor, and is requesting approval of that modification.

MOTION: Dr. Mellott moved for the Board to grant the request for postdoctoral training plan modification.

SECOND: Dr. Bohanske

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

13. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATION FOR EXAM AND LICENSURE AND ADDITIONAL MATERIALS REQUESTED BY THE BOARD FROM EVELINE BUSH, PSY.D.

This item was introduced around 1:47 p.m.

Ms. Fowkes summarized that Dr. Bush applied for licensure over a year ago and that the matter was returned to the applicant multiple times by the Application Review Committee requesting additional information. On July 12, 2019, the Board most recently considered this matter, noting that the information requested was not provided and the Board requested additional information due to concerns that her residency may not meet the requirements for Arizona licensure. The Board received correspondence from the university that did not include the requested documents, but rather, provided a link to an extensive faculty list. The Board requested additional supervision logs that provided general topics that were covered during supervision hours as well as documentation of who provided supervision. The applicant has requested that she be afforded the opportunity to withdraw the license application if she is deemed ineligible for Arizona licensure.

Dr. Mellott suggested that the matter be referred to the Application Review Committee for thorough review and recommendation to the Board. Dr. Bohanske stated that a thorough review has been done in this matter, and that the university is not accredited. Dr. Bohanske stated that the applicant has misrepresented herself and her coursework to this Board, and is not eligible for Arizona licensure. He spoke in support of allowing the applicant to withdraw the license application. Dr. Meier stated that the applicant's reported training does not meet the statutory requirements for supervision or residency as she was unable to confirm or provide any record of in-person contact between the applicant, faculty, and her peers.

MOTION: Dr. Meier moved for the Board to deny the license application. The applicant shall be offered the opportunity to withdrawal the license application in lieu of formal license denial. If the application is not withdrawn within 14 days, the license shall be denied based on

SECOND: Dr. Bohanske

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

VOTE: 9-yay, 1-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE BY WAIVER FROM JERI GENTRY, PSY.D.

This item was introduced around 1:54 p.m.

Ms. Fowkes summarized that the Application Review Committee reviewed this matter on July 2, 2020 and noted that the applicant completed two internships, but her supervisor answered "no" to the verification question regarding completion of one hour of supervision for every twenty hours of experience. The supervisor explained in her attachment to the verification that the California Psychology Board, at the time of training, did not require predoctoral to have more than one hour of supervision for every week of experience. The Application Review Committee voted to forward the matter for Board review with the

recommendation that the applicant arrange supervised experience to complete the deficient hours.

Dr. Meier noted that the applicant did have 1375 hours with one of the two supervisors and included sufficient supervision to meet the requirements for Arizona licensure. He stated that Dr. Gentry is deficient 125 hours relating to supervised experience. Dr. Mellott questioned whether the total number of training hours met the requirements for Arizona licensure. Dr. Flowers suggested obtaining additional information from the applicant's supervisors relating to the deficient supervised experience hours. Dr. Mellott suggested obtaining the logs for review.

MOTION: Dr. Mellott moved for the Board to table this matter to obtain additional information.

SECOND: Dr. Meier

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, Ms. Laboy, Dr. Meier, and Dr. Mellott.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

Dr. Mellott departed from the virtual meeting following the Board's vote in this matter.

15. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON PRESENTATION BY MST SOLUTIONS: LICENSING PLATFORM RECOMMENDATIONS

This item was introduced around 2:12 p.m.

Executive Director Paakkonen reported that the Board at its May 8, 2020 meeting discussed the substantial expenditure to engage with MST Solutions for the purposes of identifying deficiencies within the e-licensing system currently used by the Agency, and to prepare a development plan for addressing the deficiencies. The Project Manager from MST Solutions participated in the virtual meeting and provided the Board with a high-level overview of findings and recommendations resulting from their assessment of the Board's e-Licensing system. The Project Manager reported possible solutions involving centralizing the Board's data to one system to improve data management and communication.

Executive Director Paakkonen informed the Board that staff is in agreement with the recommendations made by MST Solutions. The Board noted that it could take up to four months to implement the recommended solutions and migrating all data for cloud-based storage. Dr. Bohanske questioned whether the implementations could occur without delaying investigations and license applications. Executive Director Paakkonen clarified that the development could be pursued while the Agency continues to conduct business as usual. She requested the Board approve staff to continue the exploration process and engage in conversations with the Arizona Strategic Enterprise Technology team to further the process of fixing the e-Licensing platform.

MOTION: Dr. Bohanske moved for the Board to approve the Executive Director to proceed with exploring possible solutions to address the e-licensing system as proposed by MST Solutions based on their assessment and report.

SECOND: Dr. Flowers

Mr. Dynar thanked staff for their efforts and hard work in exploring the Board's options for rectifying the issues encountered with the e-Licensing system.

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

Dr. Meier departed from the virtual meeting following the Board's vote in this matter.

16. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON PROPOSED RESOLUTION APPROVING THE DESIGNATION OF THE EXECUTIVE DIRECTOR AS THE AGENT FOR APPLYING FOR CERTAIN PUBLIC ASSISTANCE TO THE ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS, AND FOR EXECUTING AND DELIVERING SAID APPLICATION, ON BEHALF OF THE BOARD

This item was introduced around 2:32 p.m.

Executive Director Paakkonen requested the Board adopt the draft resolution authorizing her to apply for FEMA emergency funds on behalf of the Board due to expenses incurred as a result of the pandemic. She stated that agencies have been encouraged to apply as there are funds available.

MOTION: Chairwoman Shreeve moved for the Board to approve the proposed resolution designating the Executive Director as the agent for applying for certain public assistance to the Arizona Department of Emergency and Military Affairs, and for executing and delivering said application, on behalf of the Board.

SECOND: Dr. Bohanske

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, and Ms. Laboy. The following Board members were absent: Dr. Meier and Dr. Mellott.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON STAFF RECOMMENDATIONS FOR IMPLIMENTING THE EXAMINATION FOR PROFESSIONAL PRACTICE PSYCHOLOGY (EPPP) – PART 2 SKILLS

This item was introduced around 2:33 p.m.

Executive Director Paakkonen reported that Board staff has been fielding questions from applicants at various parts of the application review process, and have attempted to capture every application scenario in the draft matrix provided for the Board's review and discussion. She asked the Board to review the proposed guidance regarding whether the requirement to take Part 2 of the EPPP applied to the listed application scenarios to aid staff in providing answers to applicants as to whether they are subject to that requirement. The Board noted that the EPPP Part 2 requirement is in effect November 1, 2020.

AAG Galvin informed the Board that case law exists regarding licensing requirements changing and requiring pending applicants to meet the new licensing requirements once they become effective.

Dr. Bohanske noted that Arizona has been the first to adopt the change in EPPP, and stated that the profession is catching up to the rest of healthcare in providing both the knowledge and the competency evaluation. He stated that the sooner the Board implements this change, the more readily their applicants and psychologists will have the ability to move to other states that have also implemented this change. Executive Director Paakkonen explained that staff was seeking guidance from the Board relative to the proposed recommendations in order for staff to represent the information accurately to applicants who are inquiring based on where they are in the application review process.

MOTION: Dr. Bohanske moved for the Board to approve the staff's recommendations for implementing the EPPP Part 2.

SECOND: Dr. Davey

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, and Ms. Laboy. The following Board members were absent: Dr. Meier and Dr. Mellott.

**VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.**

Ms. Fowkes pointed out that the last entry on the two-page form required further discussion by the Board. Specifically, whether applicants who have been issued a license in another state without the requirement to pass Part 2 are subject to the requirement when applying for Arizona licensure on or after November 1, 2020. Chairwoman Shreeve stated that applicants who have at least one year experience and have received licensure without the requirement to take Part 2, would not be subject to the requirement to receive Arizona licensure. She stated that applicants who have not completed at least one year experience do not qualify for licensure under universal recognition.

Ms. Fowkes explained that a question was raised regarding whether the requirement applied to applicants who have taken the EPPP in another state and are applying for Arizona licensure by waiver after November 1, 2020. She stated that some applicants have been affected during the transition to the more enhanced examination, and asked for further Board guidance. The Board discussed whether to publish the recommendations to communicate what will be required of future applicants. Executive Director Paakkonen clarified that applicants have the ability to review the Board's meeting minutes, and that staff will be fielding calls to provide further clarification based on the Board's discussions.

Melissa Flint, Psy.D., of the Arizona Psychological Association asked the Board for guidance for providing the appropriate information to the association student members. Executive Director Paakkonen clarified that the document could also be used internally as a tool to help staff respond to inquiries regarding this licensing topic. She stated that whether or not the document is publicized, the Board's goal of providing consistent guidance would still be achieved. AAG Galvin proposed the Board consider modifying the language within the form if it is disseminated as not all members of the community are familiar with the Board's licensing processes.

MOTION: Chairwoman Shreeve moved for the Board to authorize the Executive Director to work with the AAG and Dr. Meier on modifying the language in the form and publication.

SECOND: Mr. Dynar

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, and Ms. Laboy. The following Board members were absent: Dr. Meier and Dr. Mellott.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

Ms. Fowkes asked the Board clarify whether the requirement applied to applicants who apply for Arizona licensure who have been licensed elsewhere for less than one year and do not plan to move to Arizona. Dr. Bohanske stated that applicants who have passed Part 1 and licensed under waiver are grandfathered in pursuant to current law. Chairwoman Shreeve clarified that applicants that have not held licensure for at least one year and do not qualify under universal recognition would be required to take Part 2.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO RECONCILE LANGUAGE DIFFERENCES BETWEEN A.A.C. R4-26-110 PROVIDING PSYCHOLOGICAL SERVICE BY TELEPRACTICE, AND A.A.C. R4-26-111 PROVIDING SUPERVISION THROUGH TELEPRACTICE

This item was introduced around 2:05 p.m.

Executive Director Paakkonen reminded the Board that this matter was tabled from the Board's prior meeting agenda due to time constraints. She explained that the language included in both A.A.C. R4-26-110 and A.A.C. R4-26-111 is contradictory as the former does not specify the modes of communication that can be used for telepractice while the latter states that it must involve "visual" means, suggesting that it cannot be done via telephone. She requested the Board to consider establishing a policy relative to what

modes are acceptable for telepractice and telesupervision, to potentially be included in future rule making.

Dr. Meier proposed removing “visual” from the language included in A.A.C. R4-26-111(A)(2). Dr. Bohanske spoke in support of Dr. Meier’s suggestion, and proposed that the Board take a position in the next legislative session supporting the continuation of telehealth after the emergency declaration has been rescinded by the Governor’s Office. Dr. Bohanske stated his concerns regarding patients not having access to professional services after the expiration of the declared state of emergency and telehealth is no longer permitted. Dr. Bohanske also proposed that the Board pursue legislation promoting the continuation of teleservices for the safe and available access to psychological and other health related services.

MOTION: Dr. Bohanske moved for the Board to initiate rule making process to remove the word “visual” from the current language of A.A.C. R4-26-111(A)(2).

SECOND: Dr. Meier

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

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

19. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO A.R.S. § 23-1026 ADDRESSING REGULATION OF INDEPENDENT MEDICAL EVALUATIONS (IMEs) AS PERFORMED BY PSYCHOLOGISTS

This item was introduced around 2:57 p.m.

Executive Director Paakkonen reported that the Board requested this agenda item at its April 2020 meeting, and directed members to the memorandum provided in the meeting materials regarding the interpretation of statute to include psychologists. Chairwoman Shreeve recalled a case previously considered by the Board where it was determined that the Board could not take action against a psychologist in relation to IMEs. Dr. Bohanske recalled that the case involved a psychologist who performed identical inappropriate evaluations on a series of public safety officers and police officers from multiple jurisdictions. The Board reviewed the matter and had concerns regarding the psychologist’s inappropriate work, and it was determined that the individual was immune from Board investigation as it was based on IMEs. Dr. Bohanske questioned whether the Board should pursue the ability to review IME cases when necessary.

The Board noted that the Industrial Commission included psychologists under their definition of physician and provides immunity to psychologists performing IMEs. AAG Galvin proposed the Board consider including language in their pursuit of a statutory change to clarify that a psychologist may be found to have engaged in unprofessional conduct in the performance of IMEs, notwithstanding any other law or regulation. Mr. Dynar questioned how the Board could pursue or explore engaging in discussions with the Industrial Commission staff to come to a compromise. AAG Galvin pointed out that the Industrial Commission is one of several stakeholders who may want to weigh in on this discussion topic. The Board discussed instructing the staff to pursue engaging in a dialogue with the different stakeholders.

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

This item was introduced around 3:17 p.m.

The Board discussed the current state of emergency and the temporary measures that have been implemented including waiver exemptions, temporary licensure opportunities, and telehealth. Vice-Chairwoman Davis-Wilson reported on concerns that have been raised on the national level regarding the acceptability of telehealth as an appropriate delivery modality, and the challenges faced from an education standpoint. Chairwoman Shreeve reported on discussions held with other Boards regarding the temporary adjustments that have implemented during the current state of emergency. Executive Director Paakkonen

commented that the restoring of regulation following the expiration of the state of emergency will be a process that the Board will have to work through.

21. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PROPOSED WAIVER OF FEE FOR PSYCHOLOGISTS AND BEHAVIOR ANALYSTS

This item was introduced around 3:24 p.m.

Ms. Poe summarized that the Board currently charges a \$2.00 fee for license verification requests. Board staff requested the Board waive this fee or eliminate it altogether, as the requests are frequent, and processing the minimal fee and is not worth the staff resources and time involved.

MOTION: Dr. Bohanske moved for the Board to waive the fee for psychologists and behavior analysis for license verification requests.

SECOND: Mr. Dynar

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, and Ms. Laboy. The following Board members were absent: Dr. Meier and Dr. Mellott.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

22. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING ELECTION FOR BOARD SECRETARY

This item was introduced around 3:25 p.m.

Chairwoman Shreeve noted that this was Dr. Flowers' last meeting with the Board, and asked for Board member nominations for Board Secretary. Dr. Bohanske nominated Dr. Mellott for Board Secretary.

MOTION: Dr. Bohanske moved for the Board to elect Dr. Mellott as Board Secretary.

SECOND: Dr. Flowers

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, and Ms. Laboy. The following Board members were absent: Dr. Meier and Dr. Mellott.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

23. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING DRAFT SUBSTANTIVE POLICY STATEMENT CONCERNING DOCUMENTATION REQUIREMENTS OF WRITTEN TRAINING PLANS FOR SUPERVISED POSTDOCTORAL EXPERIENCES

This item was introduced around 3:27 p.m.

Executive Director Paakkonen summarized that the SPS draft related to documentation requirements of written training plans for supervised postdoctoral experiences. She explained that discussion of establishing the SPS initiated after it was discovered that a specific postdoctoral experience training program site did not include all of the elements of training plans that meet the Board's expectations. The specific deficiencies included a lack of goals and measurable objectives to achieve said goals. Executive Director Paakkonen stated that if approved by the Board, she would draft the SPS and present to the Board at its next meeting for consideration and possible approval, and that this specific topic will be added to the list of rule revisions addressed in the next session.

MOTION: Mr. Dynar moved for the Board to approve the Executive Director to draft a Substantive Policy Statement concerning documentation requirements of written training plans for supervised postdoctoral experiences.

SECOND: Dr. Flowers

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, and Ms. Laboy. The following Board members were absent: Dr. Meier and Dr. Mellott.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

24. NEW AGENDA ITEMS FOR FUTURE MEETINGS

This item was introduced around 3:30 p.m.

Dr. Bohanske requested agendizing a discussion item relating to continuation of telehealth services following the expiration of the Governor's emergency orders.

Mr. Dynar requested agendizing a discussion item regarding the Board's discussion relating to psychologist regulation as it pertains to IMEs and the Industrial Commission.

25. ADJOURNMENT

MOTION: Dr. Bohanske moved for adjournment.

SECOND: Dr. Gill

VOTE: The following Board members voted in favor of the motion: Chairwoman Shreeve, Vice-Chairwoman Davis-Wilson, Dr. Flowers, Dr. Bohanske, Dr. Davey, Mr. Dynar, Dr. Gill, and Ms. Laboy. The following Board members were absent: Dr. Meier and Dr. Mellott.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

The Board's meeting adjourned at 3:31 p.m.