



Governor  
Douglas A. Ducey

## **Arizona Board of Psychologist Examiners**

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### **Interim Executive Director**

Jennifer Michaelsen, MPA

## **Complaint Screening Committee REGULAR SESSION MINUTES**

*September 18, 2019*

1740 W. Adams St.  
Conference Room C (1<sup>st</sup> Floor)  
Phoenix, AZ 85007

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

The regular session of the Arizona Board of Psychologist Examiners Complaint Screening Committee was called to order by Chairman Donaldson at 8:31 a.m. on September 18, 2019. One Executive Session was held.

### **2. ROLL CALL**

#### **Committee Members Present**

Joseph Donaldson – Chair  
Lynn L. Flowers, Ph.D. (telephonic)  
Matthew A. Meier, Psy.D.

#### **Staff Present**

Jennifer Michaelsen, Interim Executive Director  
Krishna Poe, Administrative Assistant

#### **Attorney General's Office**

Jeanne Galvin, Assistant Attorney General

### **3. CASE DISCUSSION/DECISION**

#### **a. Catherine Shisslak, Ph.D., Complaint No. 20-06**

Dr. Meier summarized the case, including salient points of the investigation and pertinent records. The complaint was submitted anonymous and the Complainant was not present. The Licensee and the Licensee's attorney, Faren Akins, Esq., were present telephonically. The Licensee requested to speak, made a statement and answered Committee members' questions.

After deliberation, Dr. Meier made a motion, seconded by Dr. Flowers, to dismiss this matter as there are no violations of rule or statute. The motion carried unanimously (3-0), by a voice vote.

**b. Carol Jernigan, Psy.D., Complaint No. T-20-01**

Mr. Donaldson summarized the case, including salient points of the investigation and pertinent records. The Complainant was present telephonically, made a statement and answered questions from the Committee members. Respondent was not present. Respondent's attorney, Robert Chelle, Esq., was present, requested to speak, made a statement and answered Committee members' questions.

The Committee discussed the concern that the Respondent may be providing psychological services or administering psychological assessments and tests at her current employment, which would be in violation of statute.

After deliberation, it was the consensus of the Committee to table this matter to a future meeting as the Respondent was not present to answer the Committee's questions regarding the services she provides in her current position. The Committee directed Board staff to request that the Respondent submit a written statement addressing the credentialing process at her current place of employment, what certifications or qualifications she holds, what testing she administers, and what type of clinical supervision she receives and by whom. The Committee requested that the Respondent be present at the future meeting when Complaint No. T-20-01 will be heard. Mr. Donaldson a motion as such, seconded by Dr. Meier. The motion carried unanimously (3-0), by a voice vote.

**c. Nicole Huggins, Psy.D., Complaint No. 20-01**

Dr. Flowers summarized the case, including salient points of the investigation and pertinent records. The Complainant was present telephonically, requested to speak, made a statement and answered questions from the Committee members. The Licensee was present, requested to speak, made a statement and answered Committee members' questions.

*At 9:52 a.m., Dr. Meier made a motion, seconded by Mr. Donaldson, to go into Executive Session to obtain legal advice. The motion carried 3-0. Open session reconvened at 10:01 a.m.*

After deliberation, Dr. Flowers made a motion, seconded by Dr. Meier, to dismiss this matter as there are no violations of rule or statute and the matter has been addressed and adjudicated by the Board in a previous complaint. The motion carried unanimously (3-0), by a voice vote.

**d. Nicole Huggins, Psy.D., Complaint No. 20-02**

Dr. Flowers summarized the case, including salient points of the investigation and pertinent records. The Complainant was not present. The Licensee was present, requested to speak, made a statement and answered Committee members' questions.

After deliberation, Mr. Donaldson a motion, seconded by Dr. Flowers, to dismiss this matter as there are no violations of rule or statute. The motion carried unanimously (3-0), by a voice vote.

**e. Neal Olshan Ph.D., Complaint No. 20-03**

Dr. Meier summarized the case, including salient points of the investigation and pertinent records. The Complainant was not present. The Licensee was not present. Ms. Michaelsen indicated that she had an update for the Committee on this case and explained that she received an email from Dr. Olshan this morning, which appeared to contain a response to the allegations. She noted that Dr. Olshan had not previously submitted his response to the complaint despite communicating to Board staff that he had mailed it to the office. Ms. Michaelsen stated that Dr. Olshan also indicated in his email that he may not be able to attend today's meeting due to his work schedule. The Committee expressed concern that Dr. Olshan missed the deadline to submit his written

response and submitted the email shortly before today's meeting, which did not allow the Committee sufficient time to review. The Committee also expressed concern that Dr. Olshan failed to submit the client's record, which was requested by Board staff, and that Dr. Olshan was not present today as the Committee had several questions for him.

After deliberation, Dr. Flowers made a motion, seconded by Dr. Meier, to forward Complaint 20-03 to the Board for possible violations of A.R.S. §32-2061(16)(a) for possibly obtaining a fee by fraud or misrepresentation; A.R.S. §32-2061(16)(e) for possible gross negligence in the practice of a psychologist; A.R.S. §32-2061(16)(h) for failing or refusing to maintain and retain adequate business, financial or professional records pertaining to the psychological services provided to a client or patient; A.R.S. §32-2061(16)(o) for possibly providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice; and A.R.S. §32-2061(16)(bb) for possibly 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. The motion carried unanimously (3-0), by a voice vote.

The Committee directed Board staff to issue a subpoena to Dr. Olshan, commanding his presence and testimony for the Board meeting when this complaint is reviewed. The Committee also directed Board staff to issue a subpoena to Dr. Olshan, commanding him to submit the complete client record for this case.

#### **4. ADJOURN**

There being no further business to come before the Committee, Dr. Flowers made a motion, seconded by Dr. Meier, to adjourn the meeting. The motion carried (3-0) and the meeting adjourned at 11:11 a.m.