



STATE OF ARIZONA
BOARD OF PSYCHOLOGIST EXAMINERS
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DOUGLAS A. DUCEY
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SCHOOL PSYCHOLOGIST LICENSURE EXEMPTION COMMITTEE MEETING MINUTES

October 28, 2021
11:00 a.m.
Held virtually via Zoom

1) CALL TO ORDER

The meeting was called to order by Dr. Caterino, Committee Chair, at 11:05 a.m.

2) ROLL CALL

Committee Members Present

Linda Caterino, Ph.D., ABPP - Chair
Kathy Bohan, Ed.D.
John DiBacco, Ph.D.
Ramona Mellott, Ph.D.
Jennifer Ostrom, Ph.D.
Julene Robbins, Ph.D.

Committee Members Absent

Jina Yoon, Ph.D.

Staff Present

Heidi Herbst Paakkonen, Executive Director
Jennifer Michaelsen, Deputy Director

Board Counsel Present

Jeanne Galvin, Assistant Attorney General

3) APPROVAL OF DRAFT MEETING MINUTES

MOTION: Dr. Mellott moved to approve the minutes from the September 7, 2021 as drafted. Dr. Robbins seconded the motion.

VOTE: The motion was approved by a vote of 6-0

4) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION OF DRAFT PROPOSED SUBSTANTIVE POLICY STATEMENT SP.01-21

Dr. Caterino reminded the Committee members that the group had previously drafted possible Substantive Policy Statement language in an attempt to recommend to the Board clarification of A.R.S. §32-2075(A)(1). The discussion reflected that the members were unable to come to a consensus on proposed language given the varying interpretations of terms in the statute such as “employed by”. The members noted that Ms. Paakkonen distributed a collection of questions with the members for purposes of helping to shape the discussion. The conversation also circled back to the previously identified varied arrangements utilized in Arizona to deliver school psychology services. The Committee acknowledged that while the Board’s statutes preclude the use of terms with the root “psycho”, the Arizona Department of Education permits certified school psychologists to use this term. The once instance where the Committee members reached consensus is that the exemption does not permit a unlicensed but certified school psychologist to provide services through their own private practice.

Ms. Galvin advised the members that it is difficult at this time to have insight into the Arizona State Legislature’s intent for the term “employed by” when the statute language was crafted. She also cautioned the Committee with respect to arriving at conclusions without having a full set of facts. Ms. Galvin noted that this is a very complex issue with a number stakeholders representing varying perspectives. She also opined that a Substantive Policy Statement likely will not resolve the ambiguity of the statute language, and a statutory revision appears to be necessary to bring the type of clarity that the Committee is trying to achieve; in doing so, however, the Board should assemble all stakeholders to participate in this process.

The Committee discussion reflected that the Board has the authority to issue a Cease and Desist letter to persons who practice psychology in Arizona without a license. Ms. Galvin stated that the Board can refer such conduct to local authorities for purposes of conducting a criminal investigation, and a court issued injunction is another possible remedy. It was noted that at last report the Arizona Department of Education was investigating three school psychologists for various allegations that could result in a revocation of certification.

The members acknowledged that there is some danger with respect to the Committee recommending actions that amount to regulatory over-reach. Additionally, given that this issue reemerges every few years (when the composition of the Board has changed), the idea solution is to arrive at a memorialized interpretation of the statute language. It was noted that access to data that is collected by the Arizona Department of Education would better inform the Committee for purposes of making recommendations to the Board. Clarification was supplied relative to the fact that certified unlicensed school psychologists are not trained in forensics, however they are trained in their graduate programs to conduct complex evaluations for purposes of complying with the Individuals with Disabilities Education Act (IDEA). It was the consensus of the Committee that the Arizona Psychological Association will be contacted for purposes of identifying a member to serve on this Committee.

The discussion reflected that fact that the Arizona State Legislature is more interested in statute revisions that improve access to services rather than those that might restrict access. A concern was raised that supply-and-demand arguments should not rise above the Board’s responsibility to ensure that quality of services is not compromised and that the public is protected. The group mentioned other organizations, such as Section 16 of the American Psychological Association, who may be invited to provide feedback to any policy change the Board elects to pursue.

5) NEW AGENDA ITEMS FOR FUTURE MEETINGS

The following items were requested:

- 1) A review of some proposed statutory language changes prepared by AASP’s Legislative Liaison to §A.R.S. 32-2075(A).
- 2) Dr. Ostrom agreed to make another attempt to invite a set of representatives of the Arizona Department of Education who have diverse roles with respect to certified school psychologists to a future meeting for purposes of addressing the Committee members’ questions.
- 3) Finally, the Committee requested that, if available, survey data collected by the Arizona Department of Education be obtained and reviewed.

6) ADJOURNMENT

The meeting adjourned at 12:02 p.m.