

Board Members

Frederick S. Wechsler, Psy.D., ABPP
Chair
Janice K. Brundage, Ph.D.
Vice-Chair
Joseph C. Donaldson
Secretary
Bob Bohanske, Ph.D.
John P. DiBacco, Ph.D.
Daniel Larson
Ramona Mellott, Ph.D.



**State of Arizona
Board of Psychologist Examiners**

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Staff

Dr. Cindy Olvey
Executive Director
Megan Martin
Deputy Director
Heather Duracinski
Licensing Coordinator

**TELEPHONE CONFERENCE CALL
September 14, 2012**

1400 W. Washington, Ste. 360
Phoenix, Arizona 85007

REGULAR SESSION MINUTES

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Wechsler at 7:50 a.m. on September 14, 2012. One executive session was held.

2. ROLL CALL

Board Members Participating by Telephone

Frederick S. Wechsler, Psy.D., ABPP – Chair
Janice K. Brundage, Ph.D. – Vice Chair
Bob Bohanske, Ph.D.
John P. DiBacco, Ph.D.
Daniel Larson
Ramona N. Mellott, Ph.D.

Staff Present

Dr. Cindy Olvey, Executive Director
Megan Martin, Deputy Director
Heather Duracinski, Licensing Coor.

Attorney General’s Office

Jeanne Galvin, Esq.

Board Members Absent

Joseph C. Donaldson - Secretary

3. CALL TO THE PUBLIC

Ms. Martin announced that there were no requests to speak.

4) CONSENT AGENDA - DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION

Dr. Brundage made a motion, seconded by Dr. Bohanske, to accept and approve those items listed on the Consent Agenda. The motion carried (6-0).

a. DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS

➤ **REQUESTING APPROVAL FOR EXAM ONLY**

HaNa Kim, Ph.D.
Benjamin Richter, Psy.D.
Sandra Rodriguez-Siuts, Ph.D.

REQUESTING APPROVAL FOR EXAM & LICENSURE (UPON PASSING SCORE)

George Bialkowski, Psy.D.
Raymond-Steven Almora Fernandez, Ph.D.
Brandy Gardner, Psy.D.
Jeffrey Kinderdietz, Ph.D.
Kristen Lilly, Ph.D.
Nancy Means-Wood, Psy.D.
Kimberly Thiessen, Psy.D.

➤ **REQUESTING APPROVAL OF LICENSURE BY WAIVER**

Frank Bevacqua, Ph.D.
Rebecca Gillis, Psy.D.
An Nguyen, Psy.D.

b. DISCUSSION/DECISION REGARDING APPLICATIONS FOR LICENSURE OF BEHAVIOR ANALYSTS BY EXPERIENCE

Jessica Irwin, M.Ed.

c. REQUEST FOR EXTENSION OF TIME TO TAKE EPPP EXAM FROM QUEBEC LOGAN, PH.D.

5. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CORRESPONDENCE FROM LARRY COHEN, ESQ. ON BEHALF OF DR. EUGENE CHERRY REGARDING DR. CHERRY'S REQUEST TO SURRENDER HIS LICENSE TO PRACTICE

Ms. Duracinski provided a summary to the Board. Dr. Cherry's legal counsel, Larry Cohen, was present telephonically, requested to speak, made a statement and answered Board members questions. After deliberation, Dr. Mellott made a motion, seconded by Dr. DiBacco, to grant Dr. Cherry's request to surrender his license to practice psychology. The motion carried 6-0.

6. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING DETERMINATION OF JURISDICTION FOR COMPLAINT SUBMITTED TO THE BOARD (HOA NGO)

Ms. Martin provided a summary to the Board. The Complainant was present, requested to speak and made a statement. Dr. Hoa Ngo and her legal counsel, Steven Simon, were present. Mr. Simon requested to speak, made a statement and answered Board members questions. Mr. Simon stated that Dr. Ngo is a federal employee and is under the regulation of federal law. Mr. Simon stated that federal law requires psychologists to be licensed in one state regardless of the state in which they practice. Mr. Simon stated that this complaint is a sexual harassment case and is being investigated by the equal employment office and may be adjudicated by an administrative law judge. Dr. Hoa Ngo answered Board members' questions.

At 8:16 a.m., Dr. Brundage made a motion, seconded by Dr. Mellott, to go into executive session to receive confidential legal advice from the Board's attorney. The motion carried 6-0. Open session reconvened at 8:24 a.m.

Board members expressed concern that it lacks jurisdiction because Dr. Ngo is a federal employee and is only required to be licensed in one state regardless of where she is practicing. Board members expressed concern that its mission is to protect Arizona citizens but are unable to assert jurisdiction in this matter because Dr. Ngo is a federal employee.

After deliberation, Dr. Wechsler made a motion, seconded by Dr. Bohanske, that the Board lacks jurisdiction in this case, the motion include to refer this complaint to the California Board of Psychologist Examiners, the ethics Committee of the American Psychological Association, the California Psychology state association as well as the Arizona Psychological Association. The motion carried 6-0.

7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING BOARD MEMBER APPOINTMENTS

Dr. Brundage provided a summary to the Board, stating that there have been no new Board member appointments and that the Governor's Office does not seem to be receiving applications for Board member appointments. Board members stated that a letter from the Board has been submitted to the Governor's Office stating its concern regarding the vacancies on the Board. Board members expressed concern that the Board often times struggle with a quorum due to lack of Board members. Dr. Olvey stated that she will contact the Arizona Psychological Association to inquire whether they have submitted additional recommendations to the Governor's Office. It was the consensus of the Board to place this item on the October agenda.

8. DISCUSSION, CONSIDRATION, AND POSSIBLE ACTION REGARDING RULES FOR BEHAVIOR ANALYSTS

Dr. Olvey provided a summary to the Board stating that there was one commenter past the deadline for comments but that the Board office responded to the commenter. Dr. Olvey stated that the rules for behavior analysts were approved and became effective immediately. Dr. Olvey explained that an agenda item will be placed on a future meeting pertaining to continuing education for behavior analysts. Board members commented that the rule making process went smoothly.

9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CORRESPONDENCE RECEIVED FROM STEVEN SIMON, ESQ. REQUESTING DISMISSAL OF COMPLAINT FILED AGAINST HOA NGO, PH.D.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING COMMUNITY SERVICE PLAN FOR EUGENE CHERRY, PH.D.

Dr. Wechsler made a motion, seconded by Dr. Bohankse, to vacate agenda these two agenda items as action was taken on related agenda items that made these agenda items unnecessary. The motion carried 6-0.

10. NEW AGENDA ITEMS FOR FUTURE MEETINGS

Dr. Bohanske requested that the sunrise application for the scope of practice for psychologists be submitted to the Board and placed on a future agenda for discussion.

Dr. Bohanske requested that the cost of practice monitors and other related fees arising out of Board action be placed on a future agenda item for discussion.

Dr. Wechsler suggested that the Board invite the Arizona Psychological Association to a Board meeting to discuss the sunrise application for scope of practice for psychologists.

11. ADJOURN

There being no further business to come before the Board, a motion was made by Dr. Bohanske, seconded by Dr. Brundage, to adjourn the meeting at 9:03 a.m. The motion carried 6-0.

Respectfully submitted,

**Joseph C. Donaldson
Board Secretary**