



Board Members

Frederick S. Wechsler, Psy.D. ABPP
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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.

Staff

Dr. Cindy Olvey
Executive Director

Megan Martin
Deputy Director

Heather Duracinski
Licensing Coordinator

**State of Arizona
Board of Psychologist Examiners**

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REGULAR SESSION MINUTES

*Friday, August 17, 2012, 8:30 a.m.
Saturday, August 18, 2012, 8:30 a.m.*

Executive Tower
Grand Canyon Conference Room (Basement)
1700 W. Washington Street
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Wechsler at 8:30 a.m. on August 17, 2012. Three Executive Sessions were held.

2. ROLL CALL

Board Members Present

Frederick S. Wechsler, Psy.D., – Chair
Janice K. Brundage, Ph.D. – Vice - Chair
Joseph C. Donaldson – Secretary
Bob Bohanske, Ph.D.
John P. DiBacco, Ph.D.
Daniel Larson (8:30 a.m.-11:52 a.m.)
Ramona Mellott, Ph.D. (8:30 a.m. – 11:54 a.m. and 1:16 p.m. – 4:50 p.m.)

Staff Present

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

Board Members Absent

Daniel Larson (8/18/2012)

Attorney General’s Office

Jeanne Galvin, Esq.

3. REMARKS/ANNOUNCEMENTS

- **CE Documentation** – Chairman Wechsler announced that licensees could receive CE credits in Ethics for attendance at Board meetings. Chairman Wechsler explained how to obtain credit.
- **Board Assessment Forms** –Chairman Wechsler encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the survey box.
- **Board Member and Staff Appreciation** – Chairman Wechsler thanked Board members and Staff for their dedication and hard work.

4. CALL TO THE PUBLIC

Chairman Wechsler invited the public to address the Board at this time.

Gerald Chirnomas requested to speak and made a statement to the Board. Mr. Chirnomas stated that the Court has ordered that a complaint regarding Dr. Eugene Cherry be forwarded to the Board for review. Mr. Chirnomas stated that there are audio files accompanied with the complaint and requested that the Board review the audio files.

Nisha Chirnomas requested to speak and made a statement to the Board. Ms. Chirnomas stated that Ciara Coultrap has made false statements throughout her personal and professional life. Ms. Chirnomas urged the Board to be cautious when reviewing statements made by Ciara Coultrap.

D.M. requested to speak and made a statement to the Board. D.M. stated that he has submitted sufficient evidence to the Board that Ciara Coultrap has misrepresented herself as a Ph.D. D.M. stated that Ciara Coultrap, Michael Coultrap and Dr. Eugene Cherry have acted unprofessionally and unethically.

Michael Coultrap requested to speak and made a statement to the Board. Michael Coultrap refuted allegations previously made by public members of the audience. Mr. Coultrap provided his academic and professional history to the Board. Mr. Coultrap stated that he has not made false statements. Mr. Coultrap stated that Ciara Coultrap neither represented herself as a psychologist nor has she engaged in the practice of psychology.

Robert Jones requested to speak and made a statement to the Board. Mr. Jones stated that he is retired law enforcement. Mr. Jones stated that he utilized Ciara and Michael Coultrap's services during his custody case. Mr. Jones affirmed that Ciara Coultrap never represented herself as a psychologist. Mr. Jones stated that Ciara and Michael Coultrap acted professionally during his custody proceeding.

5. COUNSEL REPORT

Ms. Galvin provided an update to the Board regarding the status of the appeal filed by Jean Hodgson, Ed.D. pertaining to the Board's decision to revoke her license. Dr. Hodgson filed the appeal on October 6, 2011. Ms. Galvin stated that Dr. Hodgson was late in filing her appeal. Subsequently, the State filed a Motion to Dismiss due to the lack of timeliness. On January 5, 2012, the Judge denied the motion to dismiss stating that the Board did not serve her properly even though Dr. Hodgson had requested in writing that the Board not send correspondence via Certified Mail. Dr. Hodgson has filed her Opening Brief with the Superior Court and has requested oral argument. Ms. Galvin stated that she will be submitting a Response to Dr. Hodgson's Opening Brief. Ms. Galvin stated that Dr. Hodgson has requested oral argument, however, the Court has not yet ruled on her request. Ms. Galvin clarified that Dr. Hodgson can appeal her case to the Court of Appeals, if the Board prevails at this level.

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

Dr. Brundage made a motion, seconded by Mr. Donaldson, to approve the items on the consent agenda. The motion carried, with Dr. Wechsler abstaining from the May 4, 2012, Executive Session Minutes, Dr. Wechsler and Mr. Larson abstaining from the May 4, 2012, Regular Session Minutes, Dr. Bohanske and Mr. Larson abstaining from the July 23, 2012, Regular Session Minutes, Dr. Bohanske and Dr. Brundage abstaining from the July 31, 2012, Regular and Executive Session Minutes and with Dr. Wechsler recused from agenda items 6. (g) and (i).

(a) APPROVAL OF MINUTES

- Executive Session Minutes – May 4, 2012
- Regular Session Minutes – May 4, 2012
- Regular Session Minutes – July 23, 2012
- Regular Session Minutes – July 31, 2012
- Executive Session Minutes – July 31, 2012

(b) DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS

i. REQUESTING APPROVAL FOR EXAM

Kathleen Lanflisi, Ph.D.
Roswitha Saenz, Ph.D.

ii. REQUESTING APPROVAL FOR EXAM AND LICENSURE (UPON A PASSING SCORE)

Kathleen Brennan-Glynn, Ph.D.
Joseph Carmona, Ph.D.
Lori Gulley, Psy.D.
Fabia Gomez-Salas, Psy.D.
Cindy Miller, Ph.D.
Rose Marie Nunez, Psy.D.
Amanda Reed, Ph.D.
Vahe Sarkissian, Ph.D.

iii. REQUESTING APPROVAL OF SUPERVISED PROFESSIONAL EXPERIENCE HOURS AND LICENSURE (UPON A PASSING SCORE)

Polly Van Rensburg, Ph.D

iv. REQUESTING APPROVAL OF LICENSURE BY CREDENTIAL

David Anderson, Ph.D., ABPP
Sara McArthur, Ph.D., ABPP
Patricia Watson, Ph.D., CPQ

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

Alexis Boglio, MA, BCBA
Brian Van Meerten, M.Ed., BCBA
Christina Whalen, Ph.D., BCBA

(d) EXECUTIVE DIRECTOR'S REPORT

(e) INVESTIGATIONS REPORT

(f) LICENSING REPORT

(g) APPLICATION FOR EXAM AND LICENSURE SUBMITTED BY STUART FRIEDMAN, PSY.D.

(h) DISCUSSION, CONSIDERATION, AND ACTION REGARDING CORRECTION FOR MINUTES OF BOARD MEETING HELD FEBRUARY 3 and 4, 2012

(i) APPLICATION FOR EXAM AND LICENSURE SUBMITTED BY MORGAN FRANCIS, PSY.D.

7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING INVESTIGATIONS

RFI 12-15, John D. Mather, Ph.D.

Mr. Larson provided a summary to the Board. Mr. Larson stated that this complaint was opened by the Board due to Dr. Mather's failure to timely report a DUI citation.

Dr. Mather and his legal counsel, Larry Cohen, were present. Mr. Cohen requested to speak and made a statement to the Board and answered Board members' questions. Dr. Mather answered Board members' questions.

Board members expressed concern that Dr. Mather failed to report the DUI to the Board in a timely manner.

Dr. Brundage made a motion, seconded by Dr. Mellott to accept the Letter of Concern drafted by Mr. Cohen with corrections noted by the Board's attorney, Ms. Galvin, and to offer the Letter of Concern to Dr. Mather. The motion carried 7-0 on a roll call vote.

RFI 11-34, David Biegen, Ed.D.

Dr. DiBacco provided a summary to the Board. Dr. DiBacco stated that the complainant alleges that Dr. Biegen falsified records and testified in court proceedings.

The Complainant, M.M. was present, requested to speak and made a statement. M.M. stated that Dr. Biegen's records were not contemporaneous and that Dr. Biegen used those records while testifying in a court case. M.M. stated that the transcript she provided was an official transcript prepared by a court reporter.

Dr. Biegen and his legal counsel, Larry Cohen, were present. Mr. Cohen requested to speak, made a statement and answered Board members' questions. Dr. Biegen answered Board members' questions.. Mr. Cohen elaborated on the current complaint and stated that Dr. Biegen was called as a witness by his client's attorney to testify in the court proceedings. Mr. Cohen stated that Dr. Biegen was not an expert witness and that Dr. Biegen only reported what his client told him. Board members questioned Dr. Biegen about billing records.

Board members deliberated and expressed concern that Dr. Biegen does not have billing records . Board members expressed concern that Dr. Biegen may have violated a previous Board Order. Board members expressed concern that Dr. Biegen testified in a court proceeding. Board members requested that Dr. Biegen provide sworn affidavits from chaperones required by a previous Board order attesting to their presence and that the chaperones were made aware of the confidential nature of the sessions.

Dr. DiBacco made a motion, seconded by Mr. Donaldson, to move RFI 11-34, to an Informal Interview for possible violations of A.R.S. §32-20-61(13)(h) for possibly failing or refusing to maintain and retain adequate business, financial or professional records pertaining to the psychological services provided to a client; A.R.S. §32-20-61(o) by possibly providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice; A.R.S. §32-2061(aa) for possibly violating a formal board order, consent agreement, term of probation or stipulated agreement issued. The motion carried 7-0.

RFI 12-16, Andrea Graber, Ed.D.

Mr. Larson provided a summary to the Board. Mr. Larson stated that this complaint was opened by the Board due to Dr. Graber's failure to timely report an assault charge.

Dr. Graber and her legal counsel, Faren Akins, were present. Mr. Akins requested to speak, made a statement, and answered Board members' questions. Dr. Graber answered Board members' questions.

Board members expressed concern that Dr. Graber failed to report the assault charge to the Board in a timely manner.

Dr. Brundage made a motion, seconded by Drs. DiBacco and Bohanske, to accept the Letter of Concern drafted by Mr. Akins with corrections noted by the Board's attorney, Ms. Galvin, and to offer the Letter of Concern to Dr. Graber. The motion carried 7-0 on a roll call vote.

RFI T-12-07, Ciara Coultrap

It was the consensus of the Board to table this matter to a future meeting. Mr. Donaldson made a motion, seconded by Dr. Brundage to subpoena Ms. Coultrap's appearance for a future meeting of the Board. The motion carried 7-0.

RFI 12-01, Margaret St. John, Ph.D.

Mr. Donaldson provided a summary to the Board. Mr. Donaldson stated that the complainant alleges that Dr. St. John provided services to the Complainant and her spouse conjointly and individually.

Dr. St. John and her legal counsel, Faren Akins, were present. Dr. St. John and Mr. Akins requested to speak, made a statement and answered Board members' questions. The Complainant was not present. Mr. Akins stated that Dr. St. John had very serious concerns regarding the Complainant's mental and emotional state. Mr. Akins stated that it would have been considered abandonment if Dr. St. John discontinued treatment with the Complainant, therefore, Dr. St. John decided to enter into a multiple relationship by treating the Complainant and her spouse conjointly and individually. Dr. St. John stated that she has completed Continuing Education and has consulted with Dr. David McPhee concerning current standards of practice. Dr. St. John elaborated on the case and stated that on multiple occasions she offered a referral to the Complainant wherein her offer was consistently refused. Dr. St. John stated that she believed that she remained unbiased throughout the treatment. Dr. St. John indicated that she realizes she did not properly document treatment plans or retain records within the statutory time frames. Dr. St. John reiterated that she has consulted with Dr. McPhee regarding records and documents. As a result, she has new forms and implemented new policies within her practice.

At 10:42 a.m., Dr. Brundage made a motion, seconded by Mr. Donaldson, to go into Executive Session to review confidential medical records. Motion carried 7-0. Open session reconvened at 11:02 a.m.

Board members deliberated and expressed concern that Dr. St. John entered into a multiple relationship. Board members expressed concern that Dr. St. John testified in court.

Dr. Wechsler made a motion, seconded by Mr. Donaldson, to offer a Consent Agreement to Dr. St. John to be approved by the Board. If the Board or Licensee does not accept the proposed Consent Agreement then RFI 12-01 will move to an Informal Interview. The motion carried 7-0 on a roll call vote.

8. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CORRESPONDENCE RECEIVED FROM NANCY MEANS-WOOD, PSY.D. PERTAINING TO HER APPLICATION FOR EXAM AND LICENSURE

Ms. Duracinski provided a summary to the Board. Dr. Means-Wood was present, requested to speak and made a statement to the Board. Board members deliberated and expressed concern that Dr. Means-Wood seeks to support her application with six-year-old approval letters.

Dr. Mellott and Mr. Larson left the meeting at 11:52 a.m.

Dr. DiBacco made a motion, seconded by Mr. Donaldson, to move Dr. Means-Wood application to the Application Review Committee for substantive review thereby denying her request to allow the two prior approval letters issued by the Board to serve as proof of completion of her postdoctoral hours. Motion carried 4-0-1 with Dr. Bohanske abstaining.

Dr. Mellott rejoined the meeting at 1:16 p.m.

9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING EFFECTIVE DATE FOR FEE INCREASES PREVIOUSLY APPROVED BY THE BOARD.

Dr. Olvey provided a summary to the Board stating that changes in statute (A.R.S. §41-1008) raises questions regarding the Board's statutory authority (A.R.S. §41-1005(A)(16)) to set fees for psychologists. Dr. Olvey stated that the Board previously approved a fee increase for an initial license, active license renewal and inactive license renewal effective January 1, 2013. Dr. Olvey elaborated stating that in order to ensure the implementation of the fee increase previously approved by the Board, the effective date would need to be moved to September 1, 2012.

Dr. Bohanske made a motion, seconded by Dr. Brundage, to move the effective date of the fee increase to Sept. 1, 2012. The motion carried 6-0.

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING DRAFT SUBSTANTIVE POLICY STATEMENT DEFINING A “DAY” AND “YEAR” WITHIN THE CONTEXT OF A.R.S. 32-2075(A)(4)

Dr. Olvey provided a summary to the Board. Board members deliberated the draft Substantive Policy Statement (SPS). Board members expressed concern that the SPS does not provide information regarding what services will be counted toward a psychologist’s time spent practicing in Arizona.

After deliberation, Dr. Bohanske made a motion, seconded by Mr. Donaldson, to revise the SPS to specify what services a psychologist provides will be counted as time spent practicing in Arizona, and to accept the SPS with the above noted changes. The motion carried 6-0.

11. INFORMAL INTERVIEW – Renee Roberts, Ed.D. RFI NO. 11-31

DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO ALLEGATIONS OF UNPROFESSIONAL CONDUCT, PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, POSSIBLE DISCIPLINE AND/OR OFFER A CONSENT AGREEMENT OR REFERRAL TO A FORMAL HEARING

Chairman Wechsler reviewed Informal Interview procedures. Dr. Roberts and her legal counsel, Faren Akins, were present. Chairman Wechsler swore in Dr. Roberts. Dr. Roberts and Mr. Akins requested to speak, made statements and answered Board members’ questions. Dr. Roberts reviewed her knowledge and expertise in treating geriatric patients; she discussed that she did not realize she was practicing forensic psychology in her evaluation of mother and did not intend for her report to be used in litigation. Dr. Roberts acknowledged she titled the report inappropriately and gave only a copy of the report to Mother; she refuted the allegation that she violated HIPAA regulations. Dr. Roberts indicated she has met with David McPhee, Ph.D. on several occasions to address patient standard of care issues and update her practice to current standards. Dr. Roberts told the Board that she changed her website to reflect that she does not practice forensic psychology.

Dr. DiBacco provided an overview of the case to the Board. Dr. DiBacco stated that the Complainant, B.D., alleges that Dr. Roberts conducted a competency evaluation which is beyond the scope of her expertise and that Dr. Roberts violated HIPAA regulations. Additionally, the Complainant alleges that Dr. Roberts’ evaluation was utilized in court proceedings.

Board members expressed concern that Dr. Roberts report states that the Mother presented for a competency evaluation because the Mother wishes to revoke B.D.’s Power of Attorney. Board members questioned Dr. Roberts regarding the difference between an intake evaluation and a competency evaluation.

Chairman Wechsler swore in the Complainant, who was available telephonically. The Complainant made a statement and answered Board members’ questions.

David McPhee, Ph.D. was present. Board members reviewed Dr. McPhee’s report regarding his work with Dr. Roberts, who retained him as a teacher/mentor.

Mr. Akins stated that Dr. Roberts realizes that she went beyond her scope of practice and is willing to enter into a Consent Agreement.

The Board deliberated. Board members voiced concern that Dr. Roberts conducted an evaluation below the current standards of practice by allowing Daughter to participate and that Daughter was allowed to “come and go” during Dr. Roberts’ evaluation of mother; Dr. Roberts does not have expertise in conducting competency evaluations but her report was titled Competency Evaluation; Dr. Roberts’ report was utilized in court proceedings; there was no coordination of care with Mother’s primary care physician; Dr. Roberts entered into a multiple relationship by providing therapy to Mother as well as conducting a competency evaluation.

Following deliberation, Dr. Wechsler made a motion, seconded by Dr. Bohanske, to include Findings of Fact, for violations of A.R.S. §32-2061(13)(g) engaging or offering to engage as a psychologist in activities not congruent with the psychologist’s professional education, training and experience by conducting a competency evaluation without having proper training, failure to use psychometric instruments in the competency evaluation and conducting a forensic evaluation without proper training; A.R.S. §32-2061(13)(o)

providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice by allowing Daughter to participate in the evaluation which poses a threat to the validity of the assessment; A.R.S. §32-2061(13)(r) failing to obtain a client's informed and written consent to release personal or otherwise confidential information to another party unless the release is otherwise authorized by law by sending an email with the Mother's name in the subject line; A.R.S. §32-2061(13)(dd) violating an ethical standard adopted by the Board pertaining to American Psychological Association Ethical Principles of Psychologists and Code of Conduct, APA 3.05 Multiple Relationships by treating the Mother and the Daughter concurrently and by providing treatment after conducting a competency evaluation, and 9.02 Use of Assessments by not following accepted protocol and deviating from standard assessment practices. The motion carried on a roll call vote 6-0.

Dr. Wechsler made a motion, seconded by Dr. Bohanske, to issue Dr. Roberts a Consent Agreement and Order for Probation for one year. After six months of probation, Dr. Roberts can petition the Board to be released from probation. Dr. Roberts shall retain a practice monitor from a list of psychologists approved by the Board. Dr. Roberts shall meet with the practice monitor two times per month for the first two months then, at the discretion of the practice monitor, the meetings may be decreased and teleconferencing may be utilized for the practice monitor meetings. The practice monitor shall submit quarterly reports to the Board regarding Dr. Roberts' progress. Dr. Roberts shall choose a practice monitor within 15 days of the effective date of the Consent Agreement and Order. Dr. Roberts shall attend a minimum of 12 hours of continuing education in working with cognitive disorders in the geriatric population and a minimum of 24 hours in integrated care. Continuing education may be completed through distance education. The continuing education shall be completed within six months of the effective date of the Order unless an extension is granted. Continuing education shall not be part of the 60 hours required for each renewal cycle. Dr. Roberts can only petition to be released from probation after six months, if the required continuing education has been completed to the Board's satisfaction. The motion carried 6-0 on a roll call vote.

12. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING DR. LARRY PRISTO'S LATE SUBMISSION OF CONTINUING EDUCATION MATERIALS

Dr. Brundage provided a summary to the Board. Dr. Pristo was present, requested to speak, made a statement and answered Board members' questions. Dr. Pristo stated that due to extenuating circumstances his residency has changed approximately six times in the last three years and he has not had a permanent address. Dr. Pristo stated that he recently submitted a post office box address to the Board office. Board members commented that Dr. Pristo completed his continuing education in a timely fashion but failed to submit it timely to the Board. After deliberation, Dr. Mellott made a motion, seconded by Mr. Donaldson, to approve Dr. Pristo's continuing education for the 2011-2013 renewal cycle and to take no further action. The motion carried unanimously (6-0).

13. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING AN UPDATE ON SCOPE OF PRACTICE FOR PSYCHOLOGISTS

Dr. Lindsay Buckman was present to speak on behalf of the Arizona Psychological Association (AzPA) in regards to its efforts to submit a Sunrise Application to the legislature regarding scope of practice for psychologists. Dr. Buckman elaborated on stakeholder meetings, opposition, support, and identification of steps that will be taken to further its outreach.

Following deliberation, Mr. Donaldson made a motion, seconded by Dr. DiBacco to support the initiative of AzPA to pursue increased scope of practice for psychologists.

14. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING RULES FOR PSYCHOLOGISTS

Dr. Olvey provided a summary to the Board. Dr. Olvey provided the Board with notations on the current rules indicating areas previously identified for change, two public comments received, as well as amendments that the American Psychological Association (APA) made to the ethical code adopted by the Board.

The Board deliberated the change to the APA ethical code. Board members expressed concern regarding the language of the amendments in that there is no flexibility and may be binding to military psychologists. It was the consensus of the Board to further research the changes to the APA code.

Dr. Olvey provided the Board with public comment made by Dr. Andy Hogg. Dr. Hogg requested the rule regarding supervision (A.A.C. R4-26-209) be changed to eliminate financial substantial interest. The Board discussed the importance of changing this rule to reflect the elements of the Substantive Policy Statement previously issued by the Board. The Board asked Dr. Olvey to communicate the Board's discussion to Dr. Hogg.

Dr. Olvey provided the Board with public comment made by Dr. Paulette Selmi. Dr. Selmi is proposing that the Board require all psychologists to have a minimum amount of training in forensic psychology, since some psychologists are practicing in this area without sufficient training. In addition, Dr. Selmi suggested the Board offer a credential in forensic psychology. The Board deliberated. It was the consensus of the Board that the APA ethical code adopted by the Board requires psychologists to practice within their areas of competence. In addition, the Court has the ability to set requirements for professionals providing services for the Court, and that there are forensic guidelines for psychologists who choose to practice in the forensic arena.

At 4:50 p.m. the Board recessed. On August 18, 2012, the Board reconvened in open session at 8:30 a.m.

15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RFI 12-05, LYDIA GARRETT, PH.D.

Ms. Martin provided a summary to the Board. Ms. Galvin explained that the Board should dismiss RFI 12-05, elaborating that failure to comply with a subpoena to appear at a voluntary proceeding does not result in disciplinary action. After deliberation, Dr. Brundage made a motion, seconded by Dr. Mellott, to dismiss RFI 12-05. The motion carried 6-0.

16. DISCUSSION, CONSIDERATION, AND POSSIBLE REGARDING ATTENDANCE AT THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS' ANNUAL MEETING OCTOBER 24-28, 2012

Dr. Olvey provided a summary to the Board. After deliberation, Dr. Wechsler made a motion, seconded by Dr. DiBacco, to send Drs. Brundage and Bohanske to the ASPPB meeting. The motion carried unanimously (6-0).

17. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING DOCTOR OF BEHAVIORAL HEALTH DEGREE SEEKING LICENSURE

Dr. Olvey advised the Board that Dr. Ronald O'Donnell requested this agenda item be moved to the November meeting. A Sunrise Application proposing licensure for Doctor of Behavioral Health graduates would not be submitted to the Legislature this year. Board members briefly discussed whether licensure by this Board was appropriate. It was the consensus of the Board to table this matter to the November 2012, in-person meeting.

18. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CONTINUING EDUCATION RECORDS FOR MARTA DESOTO, PH.D. AS REQUESTED BY THE BOARD

Dr. Brundage provided a summary to the Board. Dr. Brundage noted that the continuing education materials submitted were complete and fulfill the requirements of statute and rule. Dr. Bohanske made a motion, seconded by Mr. Donaldson to find Dr. DeSoto in compliance with the Non-Disciplinary Consent Agreement. The motion carried 6-0.

19. INFORMAL INTERVIEW – Lydia Garrett, Ph.D., RFI NO. 11-12

Chairman Wechsler reviewed Informal Interview procedures. Chairman Wechsler noted that neither Dr. Garrett nor the Complainant were present.

Dr. DiBacco provided a summary to the Board stating that the Complainant (Father) alleges that Dr. Garrett treated his minor child without his consent.

At 8:48 a.m., Dr. Brundage made a motion, seconded by Dr. Wechsler, to go into Executive Session to receive confidential legal advice from the Board's attorney. Motion carried 6-0. Open session reconvened at 8:58 a.m.

Board members deliberated. Board members expressed concern that Dr. Garrett commenced treatment/play therapy with the minor child and did not follow up with the Complainant or the minor child's pediatrician; Dr. Garrett failed to obtain Informed Consent from the Complainant; Dr. Garrett provided an opinion to the Court without having appropriate training in forensic psychology; and Dr. Garrett conducted an evaluation then subsequently provided treatment/play therapy.

Following deliberation, Dr. Brundage made a motion, seconded by Dr. DiBacco, to include Findings of Fact for violations of A.R.S. §32-2061(13) (o) providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice by failing to initiate communication, subsequent to the evaluation, with the Father and the minor child's pediatrician to report the findings of the evaluation; A.R.S. §32-2061(13)(r) failing to obtain a client's informed and written consent to release personal or otherwise confidential information to another party unless the release is otherwise authorized by law by failing to obtain Father's consent to treat or provide play therapy to the minor child; A.R.S. §32-2061(13)(dd) violating an ethical standard adopted by the Board pertaining to American Psychological Association Ethical Principles of Psychologists and Code of Conduct, APA 2.01(f) Boundaries of Competence by Dr. Garrett entering into a forensic proceeding by providing testimony to the Court without having appropriate training in forensic cases; APA 3.05 Multiple Relationships by Dr. Garrett conducting an evaluation and subsequently providing treatment during a forensic proceeding, and 3.10 Informed Consent by not obtaining informed consent from the Father to provide treatment/play therapy to the minor child. The motion carried on a roll call vote 6-0.

Dr. Brundage made a motion, seconded by Dr. DiBacco, to issue Dr. Garrett an Order for Probation for no less than one year. Dr. Garrett shall retain a practice monitor from a list of psychologists approved by the Board. Dr. Garrett shall meet with the practice monitor two times per month, and the practice monitor shall submit quarterly reports to the Board regarding Dr. Garrett's progress. Dr. Garrett shall choose a practice monitor within 15 days of the effective date of the Order. Dr. Garrett shall attend a minimum of 24 hours of continuing education in ethics and custody issues. The continuing education shall be completed within six months of the effective date of the Order unless an extension is granted. Continuing education shall not be part of the 60 hours required for each renewal cycle. The motion carried 6-0 on a roll call vote.

20. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CATHERINE ROSA-SIERRA, PSY.D. APPLICATION FOR LICENSURE INCLUDING POSSIBLE DENIAL OF THE SAME

Ms. Duracinski provided a summary to the Board. Board members expressed concern that Dr. Rosa-Sierra's internship does not meet the statutory requirement pertaining to secondary supervision. Board members deliberated the definition of a secondary supervisor and whether remote supervision meets the statutory requirement, as well as the statutory requirements pertaining to internship.

After deliberation, Dr. Bohankse made a motion, seconded by Dr. Brundage, to direct Board staff to send correspondence to Dr. Rosa-Sierra indicating that she may submit her supervised experience acquired postdoctorally along with her written plan. The Board will consider whether these hours meet the statutory requirements for internship. The motion carried 6-0.

21. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PROBLEMS WITH INTERNSHIPS CREATED BY APPLICANTS FOR LICENSURE AS PSYCHOLOGISTS

Chairman Wechsler provided a summary to the Board stating that there is a lack of internships for students. Board members stated that it is costly for an internship site to become accredited by the American Psychological Association (APA). Board members expressed concern regarding internships created by applicants in that it can be problematic if supervision and other requirements are not met. . Additionally, internships created by applicants may not include a secondary supervisor or may not be considered an organized training plan.

After deliberation, it was the consensus of the Board to address and further clarify internship in rule, specifically, interaction with other interns, the role of the secondary supervisor, what the Board constitutes as a psychologist being “on staff”, clarification of what an “organized training program” is and clarification of designation of an intern’s training status.

22. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REPORT OF FINDINGS AND RECOMMENDATIONS FROM THE BOARD’S AD HOC COMMITTEE ON CONTINUING EDUCATION FOR CHILD ABUSE

At 11:15 a.m., Dr. Donaldson made a motion, seconded by Dr. Mellott, to go into Executive Session to receive confidential legal advice from the Board’s attorney. Motion carried 5-1 with Dr. DiBacco voting no. Open session reconvened at 11:22 a.m.

Mr. Donaldson provided a summary to the Board stating that the Ad Hoc Committee is recommending to the Board that the topic of bullying be included as part of the definition for child abuse as it pertains to fulfilling CE requirements and to create a substantive policy statement indicating such. The Board deliberated whether both child abuse and bullying should be required. Some Board members expressed concern that there may not be enough continuing education available to accommodate both subjects. Concern was also expressed about requiring specific CE topics rather than allowing licensees to select topics.

Following deliberation, Mr. Donaldson made a motion, seconded by Dr. Brundage, to accept bullying as part of the definition for child abuse as it pertains to fulfilling the continuing education requirement and to create a substantive policy statement indicating such. The motion carried 5-1 with Dr. DiBacco voting no.

23. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REPORT OF FINDINGS AND RECOMMENDATIONS FROM THE BOARD’S COMMITTEE ON CONTINUING EDUCATION PERTAINING TO:

- **Number of CE credits required**
- **Number of online CE credits allowed**
- **Reporting CE information on the biennial renewal application**
- **Clarify questions including, but not limited to, CE credit for teaching undergraduate and graduate psychology courses as well as clarification of Category I and Category II requirements**

Dr. Mellott provided a summary to the Board. Dr. Mellott stated that Arizona requires more continuing education than all other states excluding Vermont. Dr. Mellott stated that the majority of the states only require 40 continuing education credits per renewal cycle. Dr. Mellott stated that the Continuing Education Committee (CEC) is recommending that the Board change the amount of continuing education credits required from 60 to 40. The CEC is recommending that the Board only allow Category I continuing education requirements and to eliminate Category II. The CEC is recommending that a form be included in the renewal application requiring psychologists to list their continuing education credits. The CEC is recommending that the Board allow graduate teaching to count toward continuing education credits but not undergraduate teaching. Additionally, the CEC is not recommending that the Board limit the amount of continuing education a psychologist can obtain online.

After deliberation, Dr. Mellott made a motion, seconded by Dr. Bohanske, to accept the above noted recommendations of the CEC and to incorporate the recommendations in rule. The motion carried 6-0.

24. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING INTERPRETATION OF A.R.S. 32-2071(F) PERTAINING TO REQUIREMENTS FOR SUPERVISED POSTDOCTORAL EXPERIENCE

Dr. Olvey provided a summary to the Board. Board members deliberated the required number of direct client contact hours when an applicant accrues less than 1,500 postdoctoral hours. The Board also discussed whether applicants can submit more than 1,500 postdoctoral hours toward licensure to obtain the 600 direct client contact hours.

After deliberation, Dr. DiBacco made a motion, seconded by Dr. Mellott, to table this item until the November in-person meeting.

25. NEW AGENDA ITEMS

Dr. Olvey summarized future agenda items in the queue for future Board meetings. In addition, Dr. Brundage requested that Board member appointments be placed on a future Board meeting agenda.

26. 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 12:35 p.m. The motion carried 6-0.

Respectfully submitted,

**Joseph C. Donaldson
Board Secretary**