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TELEPHONE CONFERENCE CALL MINUTES

**Ad Hoc Committee on CE for Child Abuse
Regular Session Minutes**

Friday, July 27, 2012

1400 W. Washington, Suite 235
Phoenix, Arizona 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Ad Hoc Committee on CE for Child Abuse was called to order by Chairman Donaldson at 8:02 a.m. on Friday, July 27, 2012. One Executive Session was held.

2. ROLL CALL

Committee Members Participating by Telephone

Joseph C. Donaldson – Chair
Janice K. Brundage, Ph.D.
John P. DiBacco, Ph.D.
Dan Schulte, Ph.D.
Lisa Merrin, Ph.D.

Staff Present

Dr. Cindy Olvey, Executive Director
Heather Duracinski, Licensing Coordinator

Attorney General’s Office

Jeanne Galvin

3. APPROVAL OF MINUTES FROM JULY 18, 2012

Dr. Brundage made a motion, seconded by Dr. Merrin, to approve the July 18, 2012, Regular Session Minutes. The motion carried 5-0.

4. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION, REGARDING HISTORY OF R4-26-207(B)

Dr. Olvey provided a summary of the history of R4-26-207(B). Dr. Olvey stated that in 2003 the Board formed a Task Force on the Complaint Process in response to a complaint sent to Governor Napolitano by 27 psychologists who perform forensic work, especially in the family court area. In addition, consumer complaints from the Domestic Violence Coalition were received regarding psychologists who worked in the family court area. The Task Force included three Board members, three psychologists, one psychologist representing the Arizona Psychological Association, and four consumers. In January 2004, the Task Force presented its recommendations to the Board, which included a recommendation that forensic psychologists be required to take continuing education (CE) in domestic violence and child abuse. The Board responded by passing a motion indicating a rule would be written requiring all psychologists to take four credits of CE biennially in domestic violence and child abuse.

Two bills passed during the 2004 Legislative Session that are significant. SB 1237 ultimately created the Board's Complaint Screening Committee and HB 2348 ultimately required that individuals who conduct an investigation or prepares reports for family court (e.g., custody evaluations) must complete six hours of initial domestic violence training, six hours of initial child abuse training, and four hours of domestic violence or child abuse training. The Board's pending rule requiring all psychologists to complete four hours of domestic violence or child abuse CE was a factor in the passage of HB 2348.

Following the 2004 Legislative Session, the Board's proposed rules were published by the Secretary of State and were finalized in 2005.

5. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION INCLUDING POSSIBLE RECOMMENDATIONS TO THE BOARD PERTAINING TO WHETHER CONTINUING EDUCATION IN BULLYING SATISFIES THE REQUIREMENT FOR CONTINUING EDUCATION IN CHILD ABUSE PURSUANT TO A.A.C. R4-26-207(B)(2)

Committee members deliberated the perceived intent that lead to the creation of R4-26-207(B) and whether the intent could be honored while allowing bullying to be considered as satisfying the requirement of the rule. Some Committee members indicated that a strict reading of the statutory definition of child abuse should be followed, while other members expressed that bullying could be considered a correlational factor in child abuse.

At 8:29 a.m., Dr. Merrin made a motion, seconded by Mr. Donaldson, to go into Executive Session to obtain confidential legal advice from the Board's attorney. The motion carried 4-1, with Dr. DiBacco voting no. Open Session reconvened at 8:45 a.m.

Committee members deliberated the benefits for psychologists and the public as well as the availability of CE for psychologists if the topic of bullying was allowed. Some member of the Committee voiced concern that the definition of Child Abuse should not be broadened. Further, stating that there are other issues that co-vary with Child Abuse, such as drug abuse. Other Committee members expressed that the mission of the Board is to protect the public and that it would be appropriate to include bullying as satisfying the requirement for CE in Child Abuse. Committee members discussed that a rule change could be made or a substantive policy statement issued by the Board clarifying the Board's interpretation of this rule.

After deliberation, Dr. Brundage made a motion, seconded by Dr. Schulte, to recommend to the full Board that the definition of child abuse be broadened to include bullying and consider developing a substantive policy statement that furthers that definition. The motion carried 4-1 on a roll call vote with Dr. DiBacco voting no.

6. SCHEDULE NEXT COMMITTEE MEETING

No future meetings were scheduled.

7. ADJOURNMENT

The Committee adjourned at 8:56 a.m.

Respectfully submitted:

**Joseph C. Donaldson
Ad Hoc Committee Chair**