

Board Members

Janice K. Brundage, Ph.D.
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Bob Bohanske, Ph.D.
Vice-Chair
John P. DiBacco, Ph.D.
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Paul Beljan, Psy.D., ABPdN, ABN
Joseph C. Donaldson
Ramona N. Mellott, Ph.D.
Rob Robichaud
Frederick S. Wechsler, Ph.D., Psy.D., ABPP



**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

REGULAR SESSION MINUTES

Friday, June 7, 2013, 7:45a.m.
1400 W. Washington, Suite 235
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Madam Chair Brundage at 7:46 a.m. on June 7, 2013. No Executive Sessions were held.

2. ROLL CALL

Board Members Present

Janice K. Brundage, Ph.D., – Chair
Bob Bohanske, Ph.D – Vice – Chair
John P. DiBacco, Ph.D.– Secretary
Paul Beljan, Psy.D. (Joined the meeting at 8:46 a.m.)
Joseph C. Donaldson
Rob Robichaud
Frederick S. Wechsler, Ph.D., Psy.D., ABPP

Staff Present

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

Attorney General’s Office

Jeanne Galvin, Esq.

Board Members Absent

Ramona Mellott, Ph.D.

3. CALL TO THE PUBLIC

There were no requests to speak.

4. COUNSEL REPORT

Ms Galvin reported that the recommendation pertaining to the Formal Hearing for Dr. Lydia Garrett is pending. The Formal Hearing for Dr. Anthony Luick was held on May 20 and 21, 2013; the record was kept open pending receipt of the transcript and additional exhibits. A judicial review pertaining to Dr. Jean Hodgson is scheduled to be heard on June 10, 2013.

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

Mr. Donaldson moved to approve the consent agenda; seconded by Dr. Wechsler. The motion carried 6-0.

(a) DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS

- i. REQUESTING APPROVAL FOR EXAM (EPPP) ONLY**
 - Jessica Promisson, Psy.D.
 - Rhea Racaza, Psy.D.
- ii. REQUESTING APPROVAL FOR EXAM AND LICENSURE**
 - Phillip Dang, Psy.D.
 - Brandy Gardner, Psy.D.
 - Ruxandra LeMay, Psy.D.
 - Kristen Lilly, Psy.D.
 - David Shwalb, Ph.D.
- iii. REQUESTING APPROVAL OF LICENSURE BY WAIVER**
 - Anne Bowen, Ph.D.
 - Bong Joo Hwang, Ph.D.
 - Bradley Robison, Ph.D.
- iv. REQUESTING APPROVAL OF LICENSURE BY CREDENTIAL**
 - Robert Schwartz, Ph.D., NRHSPP
- v. REQUESTING APPROVAL OF SUPERVISED PROFESSIONAL EXPERIENCE HOURS AND LICENSURE**
 - Kimberly Bernazzani, Psy.D.
- (b) DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATION**
 - Monica Bernaldo, M.A.
- (c) REQUEST FOR EXTENSION OF TIME TO TAKE EPPP EXAM FROM TABATHA SANDMAN KERR, PSY.D.**
- (d) REQUEST FOR EXTENSION OF TIME TO TAKE EPPP EXAM FROM CINDY FAITH MILLER, PH.D.**
- (e) DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR RE-ACTIVATION OF LICENSE FOR ARA SCHMITT, PH.D.**
- (f) DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR RE-ACTIVATION OF LICENSE FOR KIM HILL, PH.D**
- (g) DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING MICHAEL J. COHN, Ed.D. AND THE POSSIBLE ACCEPTANCE OF THE PROPOSED CONSENT AGREEMENT AND INTERIM ORDER FOR SUSPENSION OF LICENSE**
- (h) DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR RE-ACTIVATION OF LICENSE FOR HAROLD KRIESEL, PH.D**

6. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE AS A PSYCHOLOGIST SUBMITTED BY JAMES HENRY WILLIS, PH.D. AND POSSIBLE DENIAL OF THE SAME

Dr. DiBacco provided a summary for the Board and indicated that Dr. Willis' degree does not appear to be from an applied area that is clinically related. Rather, Dr. Willis' degree is focused on research and teaching. Board members also expressed concern about internship. Requisite coursework was not completed before starting internship. Dr. Wechsler moved to deny the application with the option to withdraw within 7 days. The motion was seconded by Dr. Bohanske. Motion carried 6-0 on a roll call vote.

7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING NUMBER OF SUPERVISED HOURS NEEDED TO MEET LICENSURE REQUIREMENTS FOR KATHLEEN WALSH, APPLICANT FOR LICENSURE AS A BEHAVIOR ANALYST

Dr. DiBacco updated the Board and indicated that the Board's Executive Director met with Ms. Walsh to review deficiencies in meeting requirements for supervised experience. According to the review, the Board's Executive Director reported that 693.75 hours meet statutory requirements and 806.25 hours are needed to complete the required 1,500 supervised hours. In addition, Ms. Walsh sent a letter to the Board requesting leniency in granting her license based on existing supervised experience. Board members discussed that requirements are stated in the statute and the Board does not have the authority to deviate from the law or waive statutory requirements. Dr. Wechsler moved to accept the recommendation that 693.75 hours of supervised experience be approved toward the 1,500 hours required by statute, with 806.95 hours remaining. In addition, the current application may remain open while Ms. Walsh completes the required experience; if necessary, Ms. Walsh may request an extension pursuant to statute. Mr. Robichaud seconded the motion. The motion carried 6-0 on a roll call vote.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING AFFIRMATIVE RESPONSES RELATED TO QUESTIONS ON THE RENEWAL APPLICATION

Ms. Martin provided a summary of each application:

- a. Gary Goodman, Ph.D. – Dr Goodman made arrangements with the court to pay delinquent child support. Dr. Goodman was present to answer questions. Dr. Bohanske moved to approve Dr. Goodman's renewal application; seconded by Mr. Donaldson. Motion carried 6-0.
- b. Jeffrey Willer, Ph.D. – Dr. Willer self-reported a misdemeanor for liquor violation to which he pled no contest and paid a fine. Dr. Willer was present to answer questions. Board members discussed that Dr. Willer's report was made after the 10 day reporting requirement. Dr. DiBacco moved that the Board simultaneously open a Request for Investigation and offer Dr. Willer a Letter of Concern. If Dr. Willer signs and returns the Letter of Concern, the RFI will be closed. Mr. Donaldson seconded the motion. Motion carried 6-0 on a roll call vote. Dr. Wechsler moved to approve Dr. Willis' renewal application; seconded by Dr. DiBacco. Motion carried 6-0.
- c. Chris Durham, Ph.D. – Dr. Durham was named in a lawsuit pertaining to a custody evaluation that was court ordered in Utah. A motion has been made to the court to dismiss the lawsuit; however, the case is still pending before the court. Dr. Durham was present and clarified that there has been no Board complaint filed in Utah. Dr. DiBacco moved to approve Dr. Durham's renewal application with a request that she keep the Board updated on the lawsuit. Motion seconded by Dr. Bohanske. Motion carried 6-0.

- d. Gila Saks, Ph.D. – Dr. Saks had requested an extension to complete the child abuse and domestic violence continuing education requirements. Since submitting her request, Dr. Saks provided supporting documentation indicating that she has completed the requirement. Dr. Wechsler moved that the Board find Dr. Saks in compliance and approve her renewal application. Motion seconded by Dr. Bohanske. Motion carried 6-0.
- e. Stanley Clark, Ed.D. – A lawsuit had been brought against Dr. Clark, which was dismissed with prejudice. Dr. Wechsler moved to approve Dr. Clark’s renewal application; seconded by Mr. Donaldson. Motion carried 6-0.
- f. Rob Morgan, Psy.D. – Dr. Morgan was charged with DUI on March 16, 2013, but did not timely report the charge to the Board within the 10 day reporting requirement. Board members expressed concern about the facts surrounding the charge of DUI. Dr. DiBacco moved to approve Dr. Morgan’s renewal application; seconded by Dr. Wechsler. Motion carried 6-0. Dr. DiBacco moved that the Board open an Request for Investigation concerning Dr. Morgan’s failure to report the charge of DUI within the time frame required by law; seconded by Dr. Wechsler. Motion carried 6-0.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING LEGISLATIVE UPDATE

Dr. Olvey summarized that there has been little activity regarding legislative bills. Rather, the focus has been the budget and the issue of Medicaid Expansion. The Senate passed a budget, which included the Board’s request for additional appropriation for security. The House has not yet acted on the budget. Agreement has not yet been reached on Medicaid Expansion.

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING OFFICE SECURITY

Dr. Olvey requested approval from the Board to relocate the Board office to Suite 240 located within the same building (1400 W. Washington, Phoenix, AZ). The Veterinary Board is relocating from this space, which offers greater security with two exit doors and a reception area that includes access to staff offices through a locked interior door. [Dr. Beljan joined the meeting at 8:46 a.m.] Dr. Olvey discussed the new office offers a larger space that will require additional annual rent in addition to moving costs and other costs associated with relocation including moving electronic equipment and possible issues with flooring. The Board expressed that the Board would like the Executive Director to inquire about availability of office space in a building that offers security screening. In the meantime, Dr. Bohanske moved approval to support relocation of the office; seconded by Mr. Robichaud. Motion carried 7 – 0.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING CORRESPONDENCE RECEIVED FROM DAVID RUBIN, PH.D.

Ms. Martin summarized that a Letter of Concern was offered by the Board and accepted by Dr. David Rubin. The Letter of Concern recommended that Dr. Rubin read a specific book and take an examination pertaining to the book. However, Dr. Rubin found that no examination is available for the 2nd edition of the book. Dr. Wechsler moved that the Board accept an attestation from Dr. Rubin stating that he read the 2nd edition and understood its contents; seconded by Dr. Bohanske. Motion carried 7-0.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO OPEN REQUESTS FOR INVESTIGATION WHEN LICENSEES FAIL TO REPORT A MISDEMEANOR OR FELONY WITHIN 10 DAYS PURSUANT TO A.R.S. §32-3208

Dr. Olvey summarized that Board staff bring individual reports to the Board each time a licensee is late making a self-report pursuant to A.R.S. §32-3208 in order to ask if the Board would like a Request for Investigation (RFI) opened due to the lateness of the report. Some Board members expressed that an RFI should always be opened if a licensee is not in compliance with this statute and Board staff could be authorized to open the RFI. Other Board members expressed that each report should come to the Board. Following discussion, Dr. Bohanske moved to authorize Board staff to open an RFI if a licensee is late reporting a charge pursuant to A.R.S. §32-3208; seconded by Dr. DiBacco. Motion carried 5-1-1 with Dr. Brundage voting no and Dr. Beljan abstaining from the vote.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE FROM ROBERT MASTIKIAN, PSY.D.

Dr. DiBacco recused from this agenda item. Dr. Wechsler indicated that while Dr. Mastikian was a graduate of Argosy University, Dr. Wechsler felt he could consider this application without bias. Dr. Wechsler discussed that Dr. Mastikian's application meets statutory requirements and moved that the Board approve the application for licensure. Dr. Beljan seconded the motion. Motion carried 6 -0-1 with Dr. DiBacco recused.

14. AGENDA ITEMS FOR FUTURE MEETINGS

No agenda items were proposed.

15. ADJOURN

There being no further business to come before the Board, a motion was made by Mr. Donaldson to adjourn the meeting at 9:10 a.m.; seconded by Dr. Wechsler. Motion carried 7-0.

Respectfully submitted,

John P. DiBacco, Ph.D.
Board Secretary