

Board Members

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Ramona Mellott, Ph.D.
Rob Robichaud
Tamara Shreeve
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
Heather Duracinski
Licensing Coordinator

REGULAR SESSION MINUTES

Friday & Saturday, December 6 & 7, 2013, 8:30 a.m.

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

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Dr. Brundage at 8:30 a.m. on December 6, 2013. No Executive Sessions were held.

2. ROLL CALL

Board Members Present

Janice K. Brundage, Ph.D., – Chair
John P. DiBacco, Ph.D. – Secretary
Paul Beljan, Psy.D.
Joseph C. Donaldson
Rob Robichaud
Tamara Shreeve
Frederick S. Wechsler, Ph.D., Psy.D., ABPP (left the meeting at 3:10 p.m. on December 6, 2013)

Board Members Absent

Bob Bohankse, Ph.D. – Vice-Chair
Ramona Mellott, Ph.D.
Frederick S. Wechsler, Ph.D., Psy.D, ABPP (absent Saturday, December 7, 2013)

Staff Present

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

Attorney General’s Office

Seth Hargraves, Esq.

REMARKS/ANNOUNCEMENTS

CE Documentation – Dr. Brundage announced that licensees could receive CE credits in Ethics for attendance at Board meetings and explained how to obtain credit.

Board Assessment Forms – Dr. Brundage encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the survey box.

Remarks, Board Member and Staff Appreciation – Dr. Brundage introduced Tamara Shreeve as the Board’s new public member. Dr. Brundage thanked Board members and Staff for their dedication and hard work.

Mathilda Canter, Ph.D., AzPA liaison to the Board, presented an award to Mr. Donaldson on behalf of the Arizona Psychological Association for his dedication and service as a public member of the Board.

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

Mr. Donaldson made a motion, seconded by Dr. Wechsler, to approve the items on the Consent Agenda with Dr. Wechsler abstained from the August 9, 2013, Executive Session Minutes; Dr. DiBacco abstained from the November 1, 2013, Regular Session Minutes; and Ms. Shreeve abstained from the May 3, 2013, Executive Session Minutes, August 9, 2013, Executive Session Minutes, October 4, Regular Session Minutes, and the October 4, 2013, Executive Session Minutes (10:26 a.m. – 11:01 a.m. & 12:04 p.m. - 12:34 p.m.). The motion carried 7-0.

(a) MINUTES:

May 3, 2013, 2013, Executive Session Minutes
August 9, 2013, Executive Session Minutes
October 4, 2013, Regular Session Minutes
October 4, 2013, Executive Session Minutes 10:26 a.m. – 11:01 a.m.
October 4, 2013, Executive Session Minutes 12:04 p.m. – 12:34 pm
November 1, 2013, Regular Session Minutes

(b) DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS

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

Lori Aman, Ph.D.
Tyler Davis, Psy.D.
Brandy Gardner, Psy.D.
Krista Hanson, Ph.D.
Krista Hernandez, Psy.D.
Sarah Petty, Psy.D.
Jessica Promisson, Psy.D.
Charles Williams, Ph.D.

ii. REQUESTING APPROVAL FOR LICENSURE BY CREDENTIAL

Laura Thompson, Ph.D.

(c) DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

Umut Catron, M.Ed.
Ashley Mathie, M.Ed.
Cailin Ockert, M.S.
Adam Stokey, M.A.
Samantha Wagner, M.Ed.
Kathleen Walsh, M.Ed.
Elizabeth Wielebinski, M.Ed.

(d) REQUEST FOR EXTENSION OF TIME TO TAKE EPPP EXAM FROM RACHEL MARK, PSY.D.

(e) DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR RE-ACTIVATION OF LICENSE FOR JEFFREY WILLER, PH.D.

(f) EXECUTIVE DIRECTOR'S REPORT

(g) INVESTIGATIONS REPORT

(h) LICENSING REPORT

4. COUNSEL REPORT

Seth Hargraves, Assistant Attorney General, reported that the matter involving Jean Hodgson, Ed.D. is final and her license has been revoked. Mr. Hargraves stated that oral argument regarding a motion for an evidentiary hearing pertaining to Anthony Luick, Ph.D. has been scheduled for January 3, 2014 in Tucson.

5. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATIONS FOR LICENSURE AS PSYCHOLOGISTS AND POSSIBLE DENIAL OF SAME

Danielle Murray, Ph.D. – Dr. Wechsler summarized Dr. Murray's application and subsequent submission to the Board. Dr. Murray was present telephonically. Upon review, the Board noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. Dr. Wechsler made a motion, seconded by Mr. Robichaud, to approve Dr. Murray's application to take the EPPP and licensure upon a passing score and payment of the pro-rated licensure fee. The motion carried 7-0.

6. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO PROPOSED STATUTORY CHANGES FOR PSYCHOLOGY AND BEHAVIOR ANALYSIS

Dr. Olvey provided a summary to the Board stating correspondence from Board Counsel indicated that the Board does not have statutory authority to include telepractice in Rule. The Board can define telepractice in statute which will give the Board future authority to further provide guidelines for telepractice in rule. It was the consensus of the Board to have further discussion regarding telepractice when the agenda item regarding telepractice is addressed.

Dr. Olvey stated that there are representatives for behavior analysts present when the Board addresses behavior analyst statute changes.

Stuart Goodman and Brandy Patrone from Goodman Schwartz Public Affairs were present and addressed the Board. Ms. Patrone summarized changes to include:

Psychology Statute

- Patient included in definition of client.
- Face-to-face supervision to be defined, based on Board direction, Dr. Olvey, Mr. Goodman and Ms. Patrone will bring a draft definition back to the Board for review.
- A supervisor will determine how much face-to-face supervision can be conducted via electronic means.
- Clarification of postdoctoral supervision hours and direct client contact hours.
- Supervisor will take clinical, not legal responsibility.
- Temporary license may be implemented while an individual is completing the postdoctoral experience.
- Renewal cycle changes.
- Changes in exemption from licensure.
- Clarification regarding cost responsibility for treatment and rehabilitation.

Behavior Analysis Statute

Bryan Davey, Ph.D., Diana Davis-Wilson, M.Ed., and Daniel Davidson, Ph.D., were present and addressed the Board regarding statutory changes for behavior analysts. It was requested that the Board adopt the standards of a nationally recognized behavior analyst certification board, allow 750 hours of intensive practicum as meeting the supervised experience requirement and require that behavior analysts maintain their certification and provide evidence of their certification status at each renewal cycle.

Board members deliberated and determined that a licensed behavior analyst will not be required to maintain their certification with a nationally recognized behavior analyst certification board. It was the consensus of the Board to maintain 1,500 hours of supervised experience or independent fieldwork, university practicum or intensive university practicum as meeting the supervised experience requirement. It was the consensus of the Board to adopt the standards of a nationally recognized behavior analyst certification board unless the Board objects to the standards.

Ms. Patrone clarified and noted the changes accepted by the Board. Additionally, Ms. Patrone reviewed the changes in statute pertaining to the behavior analyst renewal cycle similar to changes in the psychology statute as well as the section pertaining to exemption from licensure.

7. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING INITIAL CASE REVIEWS OF THE FOLLOWING INVESTIGATIONS

RFI T-13-27 Rachel Schwartz-Wernick, Psy.D.

Dr. Olvey provided a summary to the Board. Dr. Olvey stated that this Request for Investigation (RFI) was initiated by the Board as Dr. Schwartz-Wernick wrote that she is a psychologist on the Arizona Psychological Association's list serve. Dr. Olvey clarified that Dr. Schwartz-Wernick is not licensed as a psychologist.

Dr. Schwartz-Wernick and her legal counsel, Robert Schwartz, were present, requested to speak, made a statement and answered Board members' questions. Mr. Schwartz stated that Dr. Schwartz-Wernick was advised by a colleague that she could call herself a psychologist because she holds a doctorate degree in psychology. Mr. Schwartz stated that as soon as Dr. Schwartz-Wernick became aware that the term "psychologist" is protected by Arizona law, Dr. Schwartz-Wernick immediately took remedial action, such as, removing all notations of psychologist on any website, email, media and such. Dr. Schwartz-Wernick reiterated that her actions were not meant to mislead the public as she was unaware of the statute and has requested that all notations to psychologist be removed from her website listings.

The Board deliberated and expressed concern regarding the colleague that advised Dr. Schwartz-Wernick to use the term psychologist without holding a license. Following deliberation, Dr. Beljan made a motion, seconded by Mr. Robichaud, to take no action and close this matter. The motion carried 7-0 on a roll call vote.

8. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE AS A PSYCHOLOGIST FOR SUSAN PROEBSTING, PH.D., HER PROPOSED PLAN FOR PRACTICING PSYCHOLOGY FOLLOWING AN ABSENCE FROM THE PROFESSION, AND POSSIBLE DENIAL OF THE APPLICATION

Susan Proebsting, Ph.D.

Dr. Wechsler provided a summary to the Board stating that Dr. Proebsting is an applicant for licensure by waiver. Dr. Wechsler stated that Dr. Proebsting is not licensed as a psychologist in any other jurisdiction and has been absent from the field of psychology for approximately 13 years. Dr. Wechsler stated that Dr. Proebsting submitted a proposed Consent Agreement outlining steps she will take to re-enter the psychology field.

Dr. Proebsting and her legal counsel, Faren Akins, were present, requested to speak, made a statement and answered Board members' questions. Dr. Proebsting provided background information to the Board. Additionally, Dr. Proebsting summarized her proposed Consent Agreement outlining provisions to be completed before practicing independently, if the Board approves her application for licensure.

Board members deliberated and determined that the Consent Agreement could be non-disciplinary in nature pursuant to A.R.S. §32-2081(Q). Board members reviewed the Consent Agreement. It was the consensus of the Board that the terms of the Consent Agreement were acceptable with a change to the supervision portion.

After deliberation, Dr. Wechsler made a motion, seconded by Mr. Donaldson, to offer a Non-Disciplinary Consent Agreement to Dr. Proebsting to include practice restriction. Dr. Proebsting must meet the terms of the Non-Disciplinary Consent Agreement in order to practice independently and Dr. Proebsting may be employed as a psychologist if the place of employment has an Arizona licensed psychologist who will provide immediate supervision to Dr. Proebsting; or if the place of employment does not have an Arizona licensed psychologist that can provide immediate supervision, Dr. Proebsting shall retain an Arizona licensed psychologist to supervise her. Supervision shall include that Dr. Proebsting receive at least one hour of individual face-to-face supervision for every twenty hours worked for a minimum of twenty hours of supervision. Dr. Proebsting shall submit to the Board quarterly reports summarizing her progress. The Supervisor shall submit to the Board quarterly reports summarizing Dr. Proebsting's progress. The Supervisor shall submit to the Board a final report at the conclusion of the twenty hours of supervision. Upon obtaining supervision, Dr. Proebsting shall notify the Board office in writing and work with the Executive Director to determine when the supervision reports will be due. Continuing education requirement shall include that Dr. Proebsting undergo and pass a graduate level course in ethics that pertains to psychology. Dr. Proebsting shall complete sixty hours of continuing education that meets the requirements of Arizona Administrative Code R4-26-207 within six months of being issued her license. Upon completion, Dr. Proebsting shall submit evidence that she received a passing score in the graduate level ethics course that pertains to psychology and that she completed the sixty hours of continuing education. Dr. Proebsting shall submit evidence by June 30, 2014. The motion carried 7-0.

9. CALL TO THE PUBLIC

Dr. Brundage invited the public to address the Board at this time.

Mathilda Canter, Ph.D. requested to speak and introduced herself as the Arizona Psychological Association (AzPA) Liaison to the Board. Dr. Canter reported that AzPA held its election and the president elect is Sean Flynn, Ph.D. Dr. Canter stated that AzPA's Politics in Psychology day is February 6, 2014, and that AzPA's Legislative Committee will hold its first meeting on January 13th, 2014. Dr. Canter stated that AzPA will hold an all-day continuing education event in January 2014 which will be presented by Dr. Carol Goodheart.

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATIONS FOR LICENSURE AS PSYCHOLOGISTS

Michelle Melton, Psy.D. – Dr. Wechsler recused from reviewing this item. Dr. Beljan provided a summary to the Board stating that Dr. Melton's application was forwarded to the full Board due to lack of a quorum. Upon review, the Board noted that the materials submitted were complete and fulfilled the requirements of statute and rule. Dr. Beljan made a motion, seconded by Mr. Donaldson, to approve Dr. Melton's application for licensure upon payment of the pro-rated licensure fee. The motion carried 6-0-1 with Dr. Wechsler recused.

Kathleen Bree, Psy.D. – Dr. Beljan recused from reviewing this item. Dr. Wechsler provided a summary to the Board stating that Dr. Bree's application was forwarded to the full Board due to lack of a quorum. Upon review, the Board noted that the materials submitted were complete and fulfilled the requirements of statute and rule. Dr. Wechsler made a motion, seconded by Dr. DiBacco, to approve Dr. Bree's application to sit for the EPPP. The motion carried 6-0-1 with Dr. Beljan recused.

Brian McDonald, Psy.D. – Dr. Beljan recused from reviewing this item. Dr. Wechsler provided a summary to the Board stating that Dr. McDonald's application was forwarded to the full Board due to lack of a quorum. The Board noted that Dr. McDonald attached an explanation regarding question #20. At this time, the Board is requesting that Dr. McDonald submit additional information regarding the alcohol counseling he was Ordered to undergo by the Court including but not limited to: Any treatment and/or other records including all records from Passaic County IDRC for both of his 2005 convictions. Dr. DiBacco made a motion, seconded by Mr. Donaldson,

to issue a Request for Additional Information letter to Brian McDonald, Psy.D., regarding the matter noted above. The motion carried 6-0-1 with Dr. Beljan recused.

11. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO TELEPRACTICE INCLUDING, BUT NOT LIMITED TO:

- **Report of the Board of Psychologist Examiners' Telepractice Committee**
- **Request for public comment regarding development of guidelines, rules, and policies for telepractice**
- **Development of draft guidelines/rules for telepractice including discussion of Guidelines for Telepsychology adopted by the American Psychological Association as well as Rules adopted by the Ohio Board of Psychology**

Dr. Wechsler provided a summary to the Board summarizing the American Psychological Association and Ohio Board Psychology guidelines on telepsychology as well as a dissertation that was provided to the Board.

Board members stated that it is important to ensure that psychologists are providing a secure and confidential environment while practicing telepsychology.

AzPA's president-elect, Sean Flynn, Ph.D., was present, requested to speak and answered Board members questions. Dr. Flynn stated that the American Psychological Association has formed a telehealth task force. Dr. Flynn stated that there is debate on how to define where services are taking place when a psychologist is treating a patient who resides in another state. Dr. Flynn clarified that email, phone and skype are not HIPAA compliant but they are all considered telehealth. Dr. Flynn stated that the Association for State and Provincial Psychology Boards certifies psychologists in telehealth.

Board members expressed concern with psychologists using electronic means that are not HIPAA compliant. Board members stated that it would be prudent for psychologists who practice telehealth to go through additional training.

12. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATIONS FOR LICENSURE AS A PSYCHOLOGISTS AND POSSIBLE DENIAL OF SAME

Adam Perkins, Ph.D. – Dr. Wechsler summarized Dr. Perkin's application and subsequent submission to the Board. Dr. Perkins was present telephonically. Upon review of Dr. Perkins Preinternship Experience Verification form and his subsequent submission, the Board determined that Dr. Perkins preinternship experience was not an assistantship. Additionally, the Board noted that Dr. Perkins total amount of supervised experience for preinternship and internship total 2990 hours which does not meet the statutory requirement of A.R.S. §32-2071(D). Dr. Perkins indicated that he obtained additional preinternship hours that he will submit to the Board. The Board requested that Dr. Perkins submit documentation of his supervision hours for his preinternship experience and submit additional preinternship experience to meet the 3,000 hour requirement.

Dr. Wechsler made a motion, seconded by Mr. Robichaud, to approve Dr. Perkin's to sit for the EPPP and defer his application until he meets the requirement of A.R.S. §32-2071(D). The motion carried 6-1 on a roll call vote with Dr. DiBacco voting no.

Dr. Beljan made a motion, seconded by Mr. Robichaud, to review additional information submitted by Dr. Perkins on December 7, 2014. The motion carried 7-0.

Alicia Goodman, Ph.D. – Dr. Wechsler summarized Dr. Goodman's application and subsequent submission to the Board. Dr. Goodman was present telephonically. Upon review of Dr. Goodman's Postdoctoral Professional Psychology Experience verification form and documentation of her supervision from Washington Elementary School District, the Board determined that it does not meet the requirement of A.R.S. §32-2071(G)(5).

Dr. Wechsler made a motion, seconded by Dr. Beljan, to allow Dr. Goodman to withdraw her application within seven business days of receiving notification from the Board. If Dr. Goodman does not withdraw her application it will be denied. The motion carried 7-0 on a roll call vote.

Dr. Wechsler left the call at 3:10 p.m.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING UPDATE FROM ARIZONA PSYCHOLOGICAL ASSOCIATION REGARDING PRESCRIPTIVE AUTHORITY FOR PSYCHOLOGISTS

AzPA's Past-President, Jeff Thomas, Ph.D., was present, requested to speak, made a statement and answered Board members questions. Dr. Thomas stated that AzPA has spent the last year conducting research on prescriptive authority as well as holding stakeholder meetings. Dr. Thomas stated that there are four focus groups pertaining to prescriptive authority. Each focus group will address specific issues such as additional education for prescribing psychologists, supervision for prescribing psychologists, regulation for prescribing psychologists and integrative care. Dr. Thomas stated that a sunrise application will be prepared by June or July of 2014 to submit to the legislature for the 2015 legislative session. Dr. Thomas stated that AzPA will continue to work collaboratively with the Board.

14. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATION FOR LICENSURE AS A PSYCHOLOGIST SUBMITTED BY ROXANNE HAIT, PSY.D.

Roxanne Hait, Psy.D. –Dr. Beljan provided a summary to the Board. Upon review, the Board noted that the materials submitted were complete and fulfilled the requirements of statute and rule. Dr. Beljan made a motion, seconded by Mr. Robichaud, to approve Dr. Hait's application to sit for the EPPP and licensure upon a passing score and payment of the prorated license fee. The motion carried 6-0.

15. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO REPORT ON ASPPB 2013 ANNUAL MEETING

Dr. Beljan discussed presentations he attended on custody issues, telepsychology and industrial and organizational psychology. Dr. DiBacco discussed differences between psychology Boards in other states. Dr. Olvey discussed judicially appointed psychologists and complaint processes in other jurisdictions.

16. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO SCHEDULING BOARD MEMBER TRAINING OFFERED BY ASPPB (ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS)

Dr. Olvey provided a summary stating that ASPPB will come to the August or November 2014 Board meeting at their own expense to provide training for new Board members. It was the consensus of the Board to invite ASPPB to the November 2014 Board meeting.

17. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING INVITATION TO THE BOARD TO ATTEND AN OPEN MEETING OF THE ASPPB BOARD OF DIRECTORS ON FEBRUARY 1, 2014, IN SEDONA, ARIZONA

Dr. Olvey provided a summary stating that ASPPB Board of Directors meets twice a year and will be meeting in Sedona, Arizona on January 31, 2014. Dr. Olvey stated that ASPPB has invited Board members and staff to join the meeting. Board members expressed interest in attending the meeting.

18. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING COMMEMORATING 50 YEARS (1965-2015) SINCE ENACTMENT OF ENABLING LEGISLATION REGULATING PSYCHOLOGY AS A PROFESSION

Dr. Olvey provided a summary stating that in 2015 it will be the psychology professions 50th anniversary of being recognized as a profession and provided some examples of possible activities. This item will be placed on a future agenda for further discussion.

The Board recessed at 4:30 p.m. and reconvened at 8:30 a.m. on December 7, 2014

11 (cont.) DISCUSSION, CONSIDERATION, AND POSSIBLE RELATING TO TELEPRACTICE INCLUDING, BUT NOT LIMITED TO:

- **Report of the Board of Psychologist Examiners' Telepractice Committee**
- **Request for public comment regarding development of guidelines, rules, and policies for telepractice**
- **Development of draft guidelines/rules for telepractice including discussion of Guidelines for Telepsychology adopted by the American Psychological Association as well as Rules adopted by the Ohio Board of Psychology**

Dr. Brundage stated that the Telepractice Committee would like to draft guidelines for telepsychology.

Board members reviewed and discussed materials from the Ohio Board pertaining to telepsychology as well as a dissertation that was provided to Board pertaining to telepsychology.

It was the consensus of the Board to define telepractice in Statute and create a Substantive Policy Statement regarding telepractice guidelines until rules can be developed. The Board developed a definition for telepractice that states,

Telepractice means providing psychological services through interactive audio, video or electronic communications that occur between the psychologist and the patient or client including any electronic communication for diagnostic, treatment, or consultation purposes in a secure platform pursuant to A.R.S. 36-3602.

The Board asked that supervision be added to the definition for review at the next meeting.

19. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATIONS FOR LICENSURE AS PSYCHOLOGISTS AND POSSIBLE DENIAL OF THE SAME

Adam Perkins, Ph.D. – Dr. Beljan summarized the supplemental information received by Dr. Perkins. Dr. Perkins was present telephonically and answered Board members questions.

Mr. Robichaud made a motion, seconded by Dr. Beljan, to approve Dr. Perkins to sit for the EPPP pursuant to A.R.S. §32-2072(C) and to issue Dr. Perkins a Request for Additional Information (RAID) letter as he is deficient 10 hours in meeting the 3,000 hour supervised work experience requirement. The motion carried 6-0.

20. NEW AGENDA ITEMS FOR FUTURE MEETINGS

It was the consensus of the Board to schedule its next telephonic meeting on December 17th, 2013, at 7:30 a.m. to review draft legislation.

21. ADJOURN

There being no further business to come before the Board, a motion was made by Mr. Robichaud, seconded by Dr. Beljan, to adjourn the meeting at 12:02 p.m. on December 7, 2013. The motion carried 6-0.

Respectfully submitted,

**Joseph C. Donaldson
Board Secretary**