

Board Members

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



**State of Arizona
Board of Psychologist Examiners**

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Staff

Dr. Cindy Olvey
Executive Director

Meghan B. Hincley
Deputy Director

Heather Duracinski
Administrative Assistant

REGULAR SESSION MINUTES

*Friday, February 4, 2011
8:30 a.m.*

Third Floor Conference Room, #312
Executive Tower
1700 W. Washington
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairperson Karp at 8:40 a.m. on Friday, February 4, 2011. One Executive Session was held.

2. ROLL CALL

Board Members Present

Cheryl L. Karp, Ph.D. - Chair
Frederick S. Wechsler, Psy.D., ABPP – Vice Chair
Meghan Hunter-Williams – Secretary
Bob Bohanske, Ph.D.
Janice K. Brundage, Ph.D.
John P. DiBacco, Ph.D.
Daniel Larson (9:00 a.m. – 3:00 p.m.)
Ramona N. Mellott, Ph.D.

Staff Present

Dr. Cindy Olvey, Executive Director
Meghan B. Hincley, Deputy Director
Heather Duracinski, Administrative Assistant

Attorney General’s Office

Jeanne Galvin, Esq.
Assistant Attorney General

Board Members Absent

Joseph C. Donaldson

3. REMARKS/ANNOUNCEMENTS

- **CE Documentation** - Chairperson Karp announced that licensees could receive CE credits in Ethics for their attendance at Board meetings. Chairperson Karp explained that in order to obtain credit one must register on the CE roster, complete the three - page CE record form, have the first page stamped with the validation stamp, keep the first page, and submit the remaining pages to Board staff. Licensees are eligible to receive two credits for attending the morning session, and four credits for all day attendance.
- **Board Assessment Forms** - Chairperson Karp announced to members of the public audience that the Board appreciates feedback regarding their meetings. Chairperson Karp encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the survey box.

- **Board Member and Staff Appreciation** - Chairperson Karp thanked Staff for all their dedication and hard work. Chairperson Karp also thanked the Board members for all of their hard work on the various Committees including the Complaint Screening Committee and the Applications Review Committee. Chairperson Karp noted that Ms. Heather Duracinski was previously employed with the Board as the Administrative Assistant and that Ms. Duracinski moved back to Arizona and has regained her position with the Board. Chairperson Karp welcomed Ms. Duracinski.
- **Board Member Plaques** – Chairperson Karp thanked Dr. Mellott for her dedicated service to the Board and awarded Dr. Mellott two plaques, one for her service as a Board member one for her service as the Chair of the Board for 2010.
- **ASPPB Mid-Year Meeting (April 7-10, 2011, Orlando, FL)** – Chairperson Karp noted that the ASPPB mid-year meeting is scheduled for April 7-10, 2011 and noted the location of the meeting. Chairperson Karp advised Board members that due to budget reductions, the Board is not able to send Board members but did encourage Board members to attend if financially able.

4. **CALL TO THE PUBLIC**

Chairperson Karp invited the public to address the Board at this time. Dr. Faren Akins, the Arizona Psychological Association’s (AzPA) liaison to the Board, noted that the Politics in Psychology Day will be held on Tuesday February 22, 2011, and that Dr. Olvey, Executive Director for the Board, will be presenting at the meeting. Dr. Akins noted that several bills are scheduled to be heard and that AzPA will work closely with the Board on some of the bills that relate directly to the Board. Dr. Akins thanked Dr. DiBacco for speaking at an ethics panel for the Association of Family and Conciliation Courts.

5. **COUNSEL REPORT** – Ms. Galvin

Ms. Galvin reported that the Board requested an injunction with the court concerning T-10-20, Jeffrey Fannin, Ph.D. A permanent injunction was served to Dr. Fannin in November 2010. Ms. Galvin reported that Dr. Fannin adhered to the injunction and settled with the court. Ms. Galvin noted that Dr. Fannin is in compliance.

Ms. Galvin reported that Dr. Thaw signed the Consent Agreement for Order of Medical Inactive status and that the Board will continue to monitor this matter.

<h3>6) CONSENT AGENDA - DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION</h3>
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Dr. Brundage made a motion, seconded by Dr. Wechsler, to approve the items on the consent agenda with a minor correction to the January 7, 2011, Regular Session minutes with Dr. Bohanske, Ms. Hunter – Williams and Dr. Mellott abstaining from the January 7, 2011, Regular and Executive Session minutes. The motion carried unanimously (8-0).

(a) **APPROVAL OF MINUTES**

- Regular Session Minutes – December 10, 2010
- Regular Session Minutes – January 7, 2011
- Executive Session Minutes – January 7, 2011

(b) **DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS**

REQUESTING APPROVAL TO TAKE EXAM

Dorsey Demapan Diaz, Psy.D.
Ashley Franklin, Psy.D.
Donell Barnett, Ph.D.
Shweta Sharma, Psy.D.

REQUESTING APPROVAL TO TAKE EXAM

Suzana Adams, Psy.D.
Julia Lesselyong, Pys.D.
Cindy Tuttle Rollins, Psy.D.
Sonja Sollenberger, Ph.D.
Wesley Stokes, Psy.D.
Kimberly Thiessen, Psy.D.
Michael Wagner, Ph.D.
Sharon Zygowicz, Ph.D.

REQUESTING APPROVAL OF LICENSURE BY CREDENTIAL

Leonard Goodstein, Ph.D., ABPP
Linda Leiphart, Psy.D., CPQ

**(c) DISCUSSION/DECISION REGARDING APPLICATIONS FOR
LICENSURE OF BEHAVIOR ANALYSTS**

REQUESTING APPROVAL OF LICENSURE BY CREDENTIAL

Evelyn Kung, M.A., BCBA

REQUESTING APPROVAL OF LICENSURE BY EXPERIENCE

Bobbie Gallagher, M.A., BCBA

(d) EXECUTIVE DIRECTOR'S REPORT

(e) INVESTIGATIONS REPORT

(f) LICENSING REPORT

**7. February 4, 2011 at 9:00 a.m. – DISCUSSION, CONSIDERATION, AND POSSIBLE
ACTION REGARDING INVESTIGATIONS**

- a) **RFI 10-11, Young Lee, Ph.D. – Initial Review and Consideration of Proposed Settlement** – Mr. Larson summarized the complaint and allegations of this case. Dr. Lee and his counsel, Mark Harrison, were present and made statements to the Board. Board members questioned Dr. Lee regarding client records and a report that was submitted to the court. Following deliberation, Dr. Mellott made a motion, seconded by Dr. Wechsler to offer Dr. Lee a Consent Agreement and Order for Probation and Practice Monitor for violations of A.R.S. § 32-2061(A)(13)(h) for failure to maintain and retain adequate business, financial or professional records; for failing to safely secure client records prior to the renovation of Licensee's office which led to the possible destruction and/or misplacement of client records; and A.R.S. § 32-2061(A)(13)(o) for providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice for the manner in which Licensee provided services beyond the scope of his expertise by conducting an evaluation and making a custody recommendation without interviewing all parties involved. The motion carried unanimously (8-0) on a roll call vote.

- b) **RFI 10-19, Connie Pyburn, Ph.D.** – Dr. DiBacco recused from this case. Dr. Karp summarized the complaint and allegations of this case. The complainant was present via telephone and made statements to the Board. Dr. Pyburn and her counsel, Larry Cohen, were present and made statements to the Board. Board members asked Dr. Pyburn to clarify her role in this case, her role in providing therapy/treatment to the different parties, and how she determined whether the minor child was in crisis or at risk. Board members suggested that Dr. Pyburn consult with colleagues, refrain from practicing by email and that she continue to participate in continuing education specifically related to forensic psychology. Following deliberation, Dr. Bohanske made a motion, seconded by Dr. Brundage to issue Dr. Pyburn a Letter of Concern for releasing a draft diagnosis and for not consulting with colleagues on this case. The motion carried unanimously (7-0-1) on a roll call vote with Dr. DiBacco recused.

- c) **RFI 10-35, RFI 09-39, RFI 10-07, Jean Hodgson, Ed.D.** – Dr. DiBacco summarized RFI 10-35 and the allegations of the case including all pertinent records. The Licensee was not present. The complainant for RFI 09-39 was not present. Board members stated concern that Dr. Hodgson has failed to comply with more than one Board Order.

At 11:49 a.m., Dr. Wechsler made a motion, seconded by Dr. DiBacco, to move into Executive Session to obtain confidential legal advice. The motion carried (8-0). Open Session reconvened at 12:07 p.m.

Board members stated concern that Dr. Hodgson’s communications with the Board contains inaccurate information. Board members stated their concerns regarding Dr. Hodgson’s records for RFI 09-39. Following deliberation, Dr. Wechsler made a motion, seconded by Dr. Bohanske to move these cases to Formal Hearing for Revocation of psychology license #3123, Jean Hodgson, Ed.D., for possible violations of A.R.S. §§ 32-2061(13)(A)(c), 32-2061(13)(A)(h), 32-2061(13)(A)(o), 32-2061(13)(A)(aa) and 32-2061(13)(A)(bb). The motion carried unanimously (8-0) on a roll call vote.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING DR. LORA SMITHAM’S CORRESPONDENCE REQUESTING TO OBTAIN HER LICENSE AFTER SHE COMPLETES HER POSTDOCTORAL EXPERIENCE IN APRIL 2011 IN ORDER TO MEET LICENSING REQUIREMENTS IN OTHER STATES – Ms. Hinckley

Ms. Hinckley summarized that upon passing the EPPP Dr. Smitham was sent correspondence stating that a pro-rated license fee was to be paid prior to November 30, 2010. Dr. Smitham contacted Board staff to inquire as to whether she could obtain her license after she completes her postdoctoral experience. She clarified that she may seek licensure in another state that requires postdoctoral experience, but does not accept postdoctoral hours completed after licensure. Board members deliberated clarifying question number 29 on the licensure application wherein Dr. Mellott volunteered to work with Board staff to assist in drafting the change to the application to be considered by the Board at a future meeting. After deliberation, Dr. Brundage made a motion, seconded by Dr. Wechsler to approve Dr. Smitham’s request. The motion carried unanimously (8-0).

9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CORRESPONDENCE RECEIVED FROM UMA A. SHENOY, Ph.D. REGARDING HER REQUEST TO EXTEND THE TIME FRAME FOR COMPLETING CONTINUING EDUCATION – Ms. Hinckley

Ms. Hinckley summarized that on December 9, 2010, the Board office received correspondence from Dr. Uma Shenoy requesting an extension to complete her continuing education requirements for the 2009-2011 renewal cycle. Dr. Shenoy reported that she was out of the country teaching for the SUNY-B program in Singapore from July 2009-July 2010. Following deliberation, Dr. Wechsler made a motion, seconded by Dr. Brundage to approve a continuance of one year starting from February 4th, 2011, for Dr. Shenoy to complete her continuing education requirements. The motion carried unanimously (8-0).

10. DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS – Ms. Hinckley

REQUESTING APPROVAL OF EXAM AND LICENSURE –Ms. Hinckley
Jennifer Jones, Psy.D.

Dr. Wechsler recused from this agenda item. Following deliberation, Dr. DiBacco made a motion, seconded by Dr. Bohanske to approve Dr. Jones's licensure application for exam and licensure. The motion carried unanimously (7-0-1) with Dr. Wechsler recused.

REQUESTING APPROVAL OF LICENSURE BY WAIVER–Ms. Hinckley
Gloria Bernat, Ph.D.

Dr. Brundage recused from this agenda item. Following deliberation, Dr. Wechsler made a motion, seconded by Dr. Mellott to approve Dr. Bernat's licensure application by credential. The motion carried unanimously (7-0-1) with Dr. Brundage recused.

11. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICANT SONJA SOLLENBERGER, Ph.D. REQUEST TO WAIVE RE-APPLICATION FEE – Ms. Hinckley

Ms. Hinckley summarized that the Board office received correspondence from Dr. Sollenberger requesting that the re-application fee be waived due to a medical condition. Following deliberation, the Board determined that pursuant to A.R.S. §32-2067(C) the Board does not have the authority to waive re-application fees. Dr. Wechsler made a motion, seconded by Dr. Brundage to deny Dr. Sollenberger's request to waive the re-application fee. The motion carried unanimously (8-0).

12. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PROCESS AND COMMUNICATION FOR 2011 AUDIT OF CONTINUING EDUCATION AUDIT – Dr. Brundage

Dr. Brundage summarized that upon completion of the 2009-2011 licensure renewal cycle, the 2011 continuing education audit will begin. Dr. Brundage offered to draft a letter to be sent to the auditees, requesting them to submit organized materials that are neatly printed or typed. Board members suggested possibly creating a PDF file accessible from the website which would allow auditees to type directly on the form. Board members agreed that Dr. Brundage would work with Board staff to draft a letter that would be sent to the auditees of the 2009-2011 renewal cycle.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING TELEPRACTICE INCLUDING TELEPRACTICE WITHIN THE UNITED STATES AND FORMATION OF TELEPRACTICE COMMITTEE/TASK FORCE

Ms. Hinckley summarized that the Board had previously discussed the need to address the issue of telepractice. Ms. Hinckley stated that the Board also discussed the formation of a committee related to telepractice. Ms. Hinckley noted that the Board office is seeking further clarification

from the Board on these issues. Board members discussed and determined that a committee would be formed to address both the short and long term issues. Board members agreed to utilize other state guidelines for references while discussing/determining jurisdiction issues. Ms. Hunter-Williams, Dr. Bohanske, Dr. Wechsler and Dr. Brundage all agreed to serve on the Telepractice Committee.

14. INFORMATION SESSION-BEHAVIOR ANALYSTS AND THE PRACTICE OF APPLIED BEHAVIOR ANALYSIS, INCLUDING DISCUSSION, CONSIDERATION AND POSSIBLE ACTION – Joseph Gentry, PhD.

Dr. Gentry gave a power-point presentation on Behavior Analysis in Arizona. Dr. Gentry's presentation included information on requirements for becoming a certified behavior analyst, information on the national certification exam, various training programs offered for individuals interested in becoming behavior analysts, what applied behavior analysis entails, and the responsibilities and examples of jobs for behavior analysts, Board members thanked Dr. Gentry.

15. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PROPOSED LEGISLATION PERTAINING TO REGULATION OF BEHAVIOR ANALYSTS – Legislative Committee (Dr. Karp, Dr. Bohankse, Mr. Donaldson), Dr. Olvey

Dr. Olvey provided a brief summary and chronology of events of this agenda item to the Board. Dr. Olvey stated that Dan Davidson and Brandy Patrone are present and may want to participate in the discussion. Dr. Olvey summarized that the Board's Legislative Committee has convened twice and reviewed draft legislation pertaining to behavior analysts, which later became SB 1254. Dr. Olvey stated that the Legislative Committee requested that Senator Barto delay the hearing of SB 1254 until the Board had a chance to discuss, review and possibly take a position on the bill. Dr. Olvey discussed financial concerns pertaining to SB 1254. Ms. Patrone made statements to the Board, clarified when SB 1254 will be heard by the Senate and confirmed that amendments have been made to SB 1254 based on the Legislative Committee's discussion. Board members commented that amendments to SB 1254 seem acceptable but there are financial concerns. Clarification was made that the Board does not oppose the self regulation of behavior analysts and the formation of committees but the Board's concern is the burden on staff and the limited funding that is available to behavior analysts. After further deliberation, Dr. Wechsler made a motion, seconded by Dr. Karp that the Board is supportive of the concept of self-regulation but the Board has grave concerns with the increased cost and the overburdening of staff that SB 1254 will impose. The motion carried unanimously (7-0).

16. NEW AGENDA ITEMS FOR FUTURE MEETINGS

Dr. Brundage requested that the Board address a follow up of the Continuing Education Committee at a future meeting. Dr. Bohanske requested at a future meeting the Board consider forming a committee which would entail scope of practice for psychologists concerning possible authority to prescribe psychotropic medications. Dr. Mellott requested that at the next telephonic meeting the Board consider and take action regarding the addition of the question concerning which hours an applicant will use on the licensure application.

17. ADJOURN

There being no further business to come before the Board, a motion was made by Dr. Wechsler, seconded by Dr. DiBacco, and unanimously carried (7-0), to adjourn the meeting at 4:12 p.m.

Respectfully Submitted,

Meghan Hunter-Williams
2011 Board Secretary

Date