

**TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY  
MEETING MINUTES**

**DATE:** March 18, 2021

**TIME:** 9:00 a.m., CDT

**LOCATION:** Health Related Boards  
Webex  
665 Mainstream Drive  
Nashville, TN 37243

**BOARD MEMBERS PRESENT:** Todd. Moore, PhD., Chair  
Connie Mazza, SPE., Vice-Chair  
Rebecca Joslin Staab, Ed.D., PhD.  
H.R. Anderson, SPE  
Peter Beddow, PhD  
Deborah Carter, PhD.

**BOARD MEMBER JOINED  
THE MEETING AT 9:20 AM:** J. Dale Alden, PhD.

**BOARD MEMBERS ABSENT:** Susan Douglas, PhD  
Mark Fleming, PhD  
Jennifer Winfree, Consumer Member

**STAFF PRESENT:** Diana Hunley, Unit Director  
George Darden, HRB Director  
Lisa Williams, Board Administrator  
Paetria Morgan, Associate General Counsel

Due to gathering restrictions imposed by the COVID–19 virus, it was necessary to conduct this meeting virtually. Ms. Williams read the required script into the record, noting all votes must be conducted by roll call. Ms. Williams called a roll call vote to establish a quorum. All members were present with the exception of Dr. Douglas, Dr. Fleming and Ms. Winfree. Another preliminary vote was taken to establish all members were able to hear each other and that they had received meeting documents prior to the meeting. A motion was made by Mr. Anderson seconded by Dr. Carter to proceed with the meeting electronically. A roll call vote was taken, all voted in favor; the motion carried. The meeting was turned over to Dr. Moore, Chair.

Dr. Todd Moore, Chair, called the Webex meeting to order at 9:13 a.m. A roll call was conducted and a quorum was present.

## **Review/Approve Minutes**

Upon review of the December 3, 2020 minutes, Dr. Carter made a motion, seconded by Ms Mazza, to approve the minutes. A roll call vote was conducted and all were in favor. The motion carried.

## **Investigative Reports**

Ms. Courtney Lilly, Administrative Services Assistant to Disciplinary Coordinators, Office of Investigations, presented the summary of currently monitored practitioners with two persons under board ordered reprimand, two under probation, two under suspension, one revocation and one under unlicensed practice. For the psychologist investigative report so far in the year 2020, office of investigations has received and opened twenty-three new complaints. Of those twenty-three complaints, one was regarding falsification of records, one was regarding an action in another state, one regarding unlicensed practice, twelve were regarding unprofessional conduct, one for violation of order, one criminal conviction, one for mental or physical impairment, one continuing education violation and four complaints were outside the investigative scope of practice. Investigations has closed nineteen complaints. Of those complaints, two complaints were closed with insufficient evidence to formally discipline, five were closed and sent to the Office of General Counsel for formal discipline, ten were closed with no action and two were closed with a letter of concern. For psychological examiners so far for the year 2020, investigations received and opened five new complaints. Of those five complaints, one was falsification of records and four were unprofessional conduct. Investigations closed a total of two complaints. One complaint was closed with insufficient evidence to formally discipline and one complaint was closed with no action. She presented the investigative report for psychological assistants. In the year 2020, zero complaints were opened, and zero complaints were closed. For the psychologist investigative report so far in the year 2021, office of investigations has received and opened five new complaints. Of those five complaints, two were regarding unprofessional conduct, one for lapsed license and two complaints were outside the investigative scope of practice. Investigations has closed zero complaints. For psychological examiners so far for the year 2021, investigations received and opened two new complaints. Of those two complaints, one was unprofessional conduct and one was outside the investigative scope of practice. Investigations has closed zero complaints. There are currently six open complaints and they are not being investigated or reviewed at this time. She presented the investigative report for psychological assistants. In the year 2021, there have been zero complaints opened and zero complaints closed.

## **Financial Report**

Matt McSpadden, Fiscal Manager for the Division of Health Licensure and Regulation presented the mid-year 2020-2021 financial report. He reported that actual 2021 payroll expenditures were \$33,433.60. The total other expenditures were \$13,637.10. The total direct expenditures were \$47,070.70. The allocated expenditures were \$25,587.22. The total expenditures were \$72,657.92. The actual expenditures figure was well below the projected total expenditures for the past two years. The board fee revenue was \$133,311.46. The current year net was \$60,653.54. The cumulative carryover balance currently is \$1,194,516.30. The cumulative carryover balance from 2020 was \$1,135,286.29. It is the recommendation of the fiscal office that the board consider a fee reduction to bring that carryover balance down to \$422,924.81 which is two times three-year

average of the annual operating expenditures. He presented some fee reduction scenarios to bring those balances down. He stated the needed reduction totaled \$712,361.48. He explained the breakdown and stated the best and most efficient way to bring the carryover down in the opinion of the fiscal office is to decrease the revenue over the course of years to reach that target goal of \$422,924.81. Dr. Moore asked if costs incurred by PsyPact has been included in the report. Mr. McSpadden stated that PsyPact was not included and those figures would be added to the expenditures and could change the time frame of reaching the anticipated goal. Dr. Moore asked about fee changes, how often they would have to be changed and what the anticipated end goal for the fees would be. Mr. McSpadden stated that the reduced renewal fee would eventually go back up from \$115 to \$200 and the application fee would be \$475. This would put the board at a net of \$1,626.65 per year over annual expenditures for a net zero fee structure. Paetria recommended that the board ask Mr. McSpadden to receive the information of the estimated expenditures of the PsyPact cost to work into the fee reduction. She suggested to select one of these scenarios now in anticipation of PsyPact passing, to include them in the scenario and to have it presented at the June board meeting. Ms. Mazza stated that consideration should be given to the increase in expenses as COVID-19 situations diminish and travel increases. Mr. McSpadden stated that this was taken into consideration in the scenarios. Ms. Mazza made a motion to find out what the projected cost would be for PsyPact, seconded by Dr. Staab. A roll call vote was taken, all voted in favor; the motion carried.

### **Office of General Counsel**

Ms. Morgan stated in reference to litigation matters that there are no consent orders, no agreed orders, there are two open cases in OGC currently and no appeals in chancery court. She reviewed the conflict of interest policies. Senate Bill 101 and House Bill 0183 is in legislation. It does create the professional art therapy advisory committee of the Board of Examiners in Psychology and it was placed on the calendar for Finance Ways and Means subcommittee for March 24, 2021. Senate Bill 161 and House Bill 0455 enacts the psychology interjurisdictional compact act and placed on the calendar for government operations committee for March 22, 2021. Senate Bill 0038 and House Bill 0264 extends the board of psychology to June 30, 2026 and is ready for the signature of the house speaker. The continuing education rules are in the attorney general's office.

### **Administrative Report**

Lisa Williams stated there are currently 1,458 licensed Psychologists, 311 licensed Psychological Examiners/Senior Psychological Examiners and 67 licensed Certified Psychological Assistants. There are currently 24 Psychologists applications in process, 20 newly licensed and 213 renewals. There were 10 retired, 18 expired and 5 reinstated retired licenses and 5 reinstated expired licenses. There are currently 0 Psychological Examiners/Senior Psychological Examiners applications in process and 46 renewals. There are 0 retired, 0 expired and 0 reinstated licenses. There is currently 1 Certified Psychological Assistant application in process, 1 newly licensed, 8 renewed, 0 retired, 0 expired and 0 reinstated licenses. Ms. Williams reminded the Board members to sign their per diem claims. She also stated the next scheduled Board Meeting is June 10, 2021 and the dates scheduled for 2021 are September 9, 2021 and December 2, 2021.

**Julia McAninch** has an agreed citation for a lapsed license. Ms. McAninch has a civil penalty of \$200 for two months of practice on an expired license beyond the sixty-day grace period. She signed the agreed citation and paid the fees of \$200. Mr. Anderson made a motion to approve the agreed citation, seconded by Dr. Staab. A roll call vote was taken and all were in favor. The motion carried.

Ms. Williams announced that the ASPPB 35<sup>th</sup> Virtual Midyear Meeting is on April 9 and 10, 2021. There is a cost of \$50 per person. She reminded the board that this in-person meeting in the past was voted on for board members and the board administrative director to attend and approved. With the cost being so low, it was offered up for any board member to go that so desired. The total number of present board members that would be available to attend was three. It was decided to give four board members the opportunity to attend. A motion was made by Ms. Mazza for four board members to attend with a second by Dr. Carter. A roll call vote was taken, all voted in favor; the motion carried.

**Discuss and Ratify/Deny Newly Licensed and Reinstated Psychologists**

**Newly Licensed**

Dr. Carter made a motion, seconded by Dr. Staab to ratify the following newly licensed Psychologists:

Psychologists

Bates Rickey Lee	Lively Lisa Shea
Breazeale Ashley Mayhew	Maphis Laura Elizabeth
Cartmell Todd	Pablo Jeannine A.
Clayton Takymmea	Pratt Kaleb Keith
Du Plessis Liza	Rampulla Maria Paula
Favre Latoya R.	Scott Amy
Kamien Christina	Taylor Kala L H
Kelly Loran Elizabeth	Tipping Danielle Brooke
Lassen-Greene Caroline	Vanhusen Lauren Willis
Lilienthal Kaitlin Raines	Zipper Mark M

A roll call vote was conducted and all were in favor. The motion carried.

Ms. Mazza made a motion, seconded by Dr. Carter to ratify the following newly licensed Certified Psychological Assistant:

Certified Psychological Assistant

Justice Tate Jenee J

A roll call vote was conducted and all were in favor. The motion carried.

Dr. Staab made a motion, seconded by Dr. Carter to ratify the following reinstated licensee:

Reinstated Licensee

Alden III John Dale  
Beck June Gayle  
Crump Abbe B.  
Elledge Lawrence C.  
Friedle Robert E.

Germain Jean Mauriello  
Jiang Xu  
Mcaninch Julia Ann  
Speraw Susan R  
Walley Page B.

A roll call vote was conducted and all were in favor. The motion carried.

**Discuss and Ratify/Deny Newly Licensed Behavior Analysts**

**Newly Licensed**

Dr. Staab made a motion, seconded by Dr. Carter to ratify the following newly licensed Behavior Analysts:

Behavior Analysts

Bowers Alex Jasmine  
Bruce Sara  
Davis Jamie E  
De Leon Victor Marcus  
Fussell Joanna H  
Gulish Erin  
Hancock Mary E  
Hemby William  
Hertel India  
Jenkins Tina A  
Jordan Amber N  
Keenan Jr. Christopher D  
Lee Erin H  
Locke Caitlyn Nicole  
Masler Elizabeth Anne  
Matheney Sara M  
Mauldin William  
Mckenney Kristyn D  
Middleton Brian Franklin  
Moore Kristina B  
Morgan Elizabeth N

Nowling Aimee Elizabeth  
O'Nan Sarah P  
Olmstead Allison Rae  
Peek Shelby Ms.  
Reddick Chelsea N  
Roos Raquel  
Runtal Jennifer  
Ruz Sheryll S  
Schalk Amber M  
Shipe Alyssa D  
Simmons Ashley Nicole  
Todd Jacqueline Michelle  
Trillizio Laura K  
Vincent Kimberly A  
Wagner Ashley  
White Rebekah Grace  
Whitley Rochelle A  
Wilson Katherine  
Woolley Ashling Valerie  
Conley Cindy Freer

A roll call vote was conducted and all were in favor. The motion carried.

Dr. Staab made a motion, seconded by Dr. Alden to ratify the following newly licensed Assistant Behavior Analysts:

Assistant Behavior Analysts

Lewis Jennifer

A roll call vote was conducted and all were in favor. The motion carried

Dr. Staab made a motion, seconded by Dr. Carter to ratify the following reinstated licensee:

Reinstated Licensee

Adams Shemicka Renee  
Hice Emily  
Palm Tracy

A roll call vote was conducted and all were in favor. The motion carried.

**File Review**

Justin Wright came before the board to request that his voided temporary license be extended or to receive a second temporary license. Ms. Williams stated that as per the rules you can only have a temporary license once and when you fail the EPPP exam, it voids the temporary license. Mr. Wright's temporary license became invalid when he failed the EPPP exam. Mr. Wright stated his case and requested the board to extend his license for an additional ninety days. Dr. Moore restated some of the facts for clarification. Ms. Morgan reviewed the statutes and rules governing the temporary license for clarification. Dr. Moore stated that the board does not have the discretion to alter those rules to allow for an extension of the temporary license. Ms. Morgan stated that there is no legal authority to grant his request.

**Tennessee Psychological Association**

Dr. Pam Auble, TPA representative, spoke concerning the continuing education rules. She addressed her concern for the need of a policy to cover the interim period between the old rules and the new rules and how the continuing education documents are reviewed. Ms. Morgan advised that the board wait to draft a policy until after the rules go into effect. Dr. Auble spoke concerning PsyPact and stated that hopefully it would be passed this year. She stated the fiscal note for PsyPact was over \$100,000 last year and it is now greatly reduced to \$8,400.

**Tennessee Colleague Assistance Foundation**

Brian Wind, TCAF Executive Director, stated that the foundation currently has two people under contract and remains busy with monitoring consultations. They are beginning to see the influx of practitioners who are feeling the strain of the pandemic.

## **Telepsychology Rules**

Ms. Morgan stated that currently the proposed telepsychology rules disallow an asynchronous encounter and only allow counseling real time even if it's through a written format. Upon review of the telepsychology rules, a question arose whether you could disallow asynchronous encounters and only allow counseling in real time even if its through a written medium. T.C.A. 63-1-155(a)(2) includes both synchronous and asynchronous encounters. She stated it was then looked at to see whether or not there was something about asynchronous encounters that would make it detrimental to the service that you provide your clients. She brought these rules back today to ask the board to strongly consider modifying the language to include asynchronous communication so that these proposed rules can comport with the statutes and continue to work their way through the approval process. In the board's proposed rules, this issue only impacts section one of the proposed rules which is the first definition section. Ms. Morgan suggested to take out the words real time from the second line of the proposed rule 1180-02-.27(1). Discussion ensued around the words real time and text messages in 1180-02-.27(2). Dr. Moore proposed to remove the phrase real time in 1180-02-.27(1) in the second sentence, remove the last sentence and put a comma after text messages in 1180-02-.27(2). Ms. Mazza made a motion to remove the real time quote in number one and the last sentence in number one and adding a comma after text messages in number two seconded by Dr. Beddow. A roll call vote was conducted and all were in favor. The motion carried

## **Discuss other Board Business**

Dr. Moore opened a discussion surrounding the temporary license, the impact on the client, taking the written exam and whether the rules and statutes need to be changed.

With no other Board business to discuss Mr. Anderson made a motion, seconded by Ms. Mazza to adjourn at 11:27 p.m. A roll call vote was conducted and all were in favor. The motion carried.

*Ratified by the Board of Examiners in Psychology on this the 10th day of June, 2021.*