

TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY

DATE: June 12, 2014

TIME: 9:00 a.m., CT

LOCATION: Health Related Boards
Iris Room
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS PRESENT: Pamela Auble, Ph.D., Chair
J. Trevor Milliron, Ph.D.
Mark Loftis, Ph.D., Sr. Psychological Examiner
George Bercaw, Sr. Psychological Examiner, Vice Chair
David C. Mathis, Ed.D.

BOARD MEMBERS ABSENT: Rodney Sullivan, Ph.D.

STAFF PRESENT: Teddy Wilkins, Unit Director
Melody Spitznas, Board Administrator
Charles Custer, Board Administrator
Johanna Barde, Office of General Counsel

Dr. Auble, Chair, called the Board meeting to order at 9:05 a.m. A quorum was present.

Minutes

Minutes from the December 16, 2013 Board meeting were reviewed. Mr. Bercaw made a motion, seconded by Dr. Milliron, to approve the minutes as presented. The motion carried.

The Board then reviewed the minutes from the March 13, 2014 Board meeting. Mr. Bercaw made a motion, seconded by Dr. Milliron, to approve the minutes with the correction of removing Dr. Davis from the "Board Members Present" section, as she was not present at the March meeting. The motion carried.

OGC Report

Ms. Barde advised the Board that the Board's regular OGC attorney, Ms. Putnam, was unable to be present today, and that she was representing the Board in Ms. Putnam's place.

Ms. Barde advised that there are no Consent Orders to be presented today.

Ms. Barde then introduced Ben Simpson, Legislative Liaison with the Department of Health.

Mr. Simpson advised the Board on several legislative issues that affect the Board:

- Senate Bill 1629, which allows licensees to apply online. It also allows for an annual survey regarding facilities that a practitioner may refer a patient to.

- Updates to the Controlled Substance Monitoring Database.
- Civil immunity if a practitioner prescribes Nyloxin, an opioid drug, if a patient should overdose.
- The Professional Privilege Tax has been revised so that the Department of Revenue will notify the Board administrative offices of tax delinquency. The requirement would be that if there is a tax delinquency, the practitioner will be unable to renew their license. The Department of Revenue will provide ninety (90) days for payment before notifying the Health Related Boards of the delinquency.
- Anti-meth production bill caps Sudafed-type products at 5.76 grams per month and 28.8 grams per year, unless prescribed by a physician.
- Senate Bill 2479, which allows tele-psychology. It also adds forensic psychology and parent coordination to the Psychology Practice Act. As a side note, the World Health Association also allows tele-psychology to be billed to insurance companies. This went into effect on July 1, 2014. Ms. Putnam will present some rule ideas regarding tele-psychology at the next meeting.
- Senate Bill 1674, which provides civil immunity for providers who offer services for free or reduced costs, in conjunction with a free clinic or for charity work.
- A committee has been set up by law for Behavioral Analysts (BA), and it will be under the umbrella of the Psychology Board. There will be 5 committee members; 3 licensed BA's, 1 Assistant BA, and 1 consumer member. The elected chair of the committee, which would be a licensed BA, would be appointed as an ex-officio member of the Board of Examiners in Psychology, and have voting rights on the Board. This would also change the quorum and voting requirements, as there would now need to be 6 members present to constitute a quorum; and all 6 members would need to agree to have a motion passed. In addition, the size of the Board would increase from 9 members to 10 members.

The Board expressed concerns regarding a BA being a voting member of the Board, especially when dealing with issuing licenses, file reviews, and other issues pertaining specifically to psychologists.

Investigations Report

There are currently nineteen (19) open cases, most are pending review. There are 6 cases in the field for psychologists, and 1 case in the field for a psychological examiner.

The Investigations department advised the Board that they are working on adding an extra report to show how much money has been collected in a given timeframe.

Financial Report

Vanessa Crutcher reported to the Board on the status of the Board financial statement. Ms. Crutcher advised the Board of a policy being reviewed for various boards to reduce fees, especially boards with a high amount of cumulative carryover. After Ms. Crutcher completed her report, the Board discussed various ways to possibly reduce the surplus amount.

In relation to the discussion for reducing the surplus amount, the Board discussed sending Board members and administrative staff to the ASPPB conference in October 2014. Mr. Simpson again spoke regarding possible fee reductions, as he stated that the legislature would likely view a high surplus as an overcharging of the licensees.

Ms. Barde advised the Board that there are various ways to spend the money, including but not limited to: reducing licensing fees, conferences, promoting the profession and the Board rules to practitioners, conducting continuing education seminars, tele-psychology education to licensees and the public.

Ms. Wilkins spoke about the way several other Boards are looking at this same issue, and mentioned that fee reductions is a big thing that are being looked at by other Boards.

Ms. Wilkins also mentioned the possibility of holding a Board meeting in a remote location, such as Gatlinburg TN, similar to the way the Optometry Board does.

The Board decided to appoint a committee to review options for fees reduction and utilizing the surplus. The committee will be comprised of Drs. Loftis, Mathis and Milliron.

Dr. Loftis made a motion, seconded by Mr. Bercaw, to approve Ms. Putnam, Ms. Wilkins, and up to three (3) Board members to attend the ASPPB conference; as well as Ms. Putnam attending the FARB conference. The motion carried.

Tennessee Psychological Association (TPA)

Dr. Norm Stephenson addressed the Board regarding several issues, including the issues previously addressed by Mr. Simpson. Dr. Stephenson also advised the Board that TPA has submitted names for appointment to the open Board member positions.

Dr. Stephenson also advised the Board of several bills that did not pass in the legislature.

Tennessee Colleague Assistance Foundation (TCAF)

Dr. Murphy Thomas provided an update to the Board of the current status of TCAF. During discussion, Ms. Barde contacted Ms. Putnam by phone, and Ms. Putnam advised the Board that a motion would need to be made to renew the TCAF contract. After discussion and review of TCAF services, Dr. Milliron made a motion, seconded by Dr. Mathis to renew the TCAF contract, pending submission of the contract, along with request for any additional funding. The motion carried.

New Business

Ms. Putnam briefly addressed the Board regarding tele-psychology and Behavioral Analysts, and advised that rules for either could not be drafted until after July 1, 2014, as neither statute would go into effect at that time.

Applicant Interview

The Board spoke with Dr. Dawn Beatty, regarding her application to the Board that had been previously reviewed. Dr. Beatty's education was being questioned by the Board, as her education is in Marriage and Family Therapy, and holds a PhD. The Board discussed the course similarities with the Board and APA requirements. Dr. Beatty is also licensed in TN as a LMFT in good standing. After discussion and further review, Dr. Mathis made a motion, seconded by Dr. Milliron, to accept the education and hence the application, and allow Dr. Beatty to sit for the EPPP and to issue a provisional license. The motion carried.

Administrative Report

Ms. Spitznas reported that there are currently 1,364 active licensed psychologists, 470 active licensed psychological examiners/senior psychological examiners and 33 active certified psychological assistants.

From March 7, 2014 to June 9, 2014, eighty-nine (89) psychologists, twenty-one (21) psychological examiners, and no certified psychological assistant renewed their license online.

Ms. Spitznas stated that the continuing education audit is ongoing. Ms. Spitznas stated that most licensees who are audited have been compliant; however, there are a few that are deficient regarding the Tennessee Rules and Jurisprudence component. Ms. Spitznas stated that all those found to be non-compliant have made up the hours and submitted them after being notified of their deficiency.

Ms. Spitznas advised the Board of the meeting dates selected for 2015. They are March 12-13; June 11-12; September 10-11; and December 10-11.

The Board also discussed the upcoming September 2014 meeting, as it needs to be rescheduled due to a conflict in scheduling for Ms. Putnam. Ms. Spitznas and Ms. Wilkins advised the Board that October 2-3, 2014 was selected for the new meeting date. The Board agreed to the date change.

Ms. Spitznas advised the Board of the EPPP results to be ratified. Dr. Milliron made a motion, seconded by Mr. Bercaw, to accept the results. The motion carried.

Ms. Spitznas advised the Board of the E&J results to be ratified. Dr. Loftis made a motion, seconded by Dr. Mathis, to accept the results. The motion carried.

New Licensees

- Jesse Aros
- Katherine Barteck
- Jasmine Bradley
- Alison Dowd
- Erin Hardin
- Natalie Heidelberg
- Lisa Jacola
- Gary Junker
- Eric Manley
- Martha Merritt
- April Nesin
- Lindsay Pate
- John Pedersen
- Megan Peters
- Tamara Raphaeli
- Claude Robinson
- Tamela Sadler
- Laura Shultz
- Cheryl Smith
- Dudley Terrell
- Steven Thomas
- Idia Thurston

Dr. Milliron made a motion, seconded by Dr. Loftis, to approve the above list of newly licensed psychologists. The motion carried.

Reinstatements

- Frankie Preston
- Lisa Register
- Louise Strang

Dr. Loftis made a motion, seconded by Dr. Mathis, to approve the above list of reinstatements. The motion carried.

Correspondence

The Board reviewed a letter from **Dr. Anitra Shelton-Quinn** requesting an extension on her temporary license, due to various personal issues. Dr. Loftis made a motion, seconded by Dr. Milliron to grant the extension through December 31, 2014. The motion carried.

The Board reviewed a letter from **Jacqueline Horn** requesting asking the Board to send a representative to the ASPPB Conference, for participation on a panel regarding Behavioral Analysts and Psychologists working together. The Board requested that Ms. Spitznas reply with the Board response of they are honored to have been asked, but feel that they do not have enough knowledge or expertise in the area to be able to participate as part of the panel. The Board also chose to suggest that Dr. Horn contact TPA instead.

The Board reviewed correspondence from **Miriam Shapiro** asking several questions. The Board reviewed the email chain between Ms. Spitznas, Ms. Shapiro, and Dr. Auble. After review and discussion, the Board agreed with Dr. Auble's opinions shown in the email chain, and requested that Ms. Spitznas advise Ms. Shapiro of this decision.

The Board reviewed correspondence from **Dr. Shannon Hayes** asking about someone who has approached her to be a supervisor for post-doctoral hours. The individual will be practicing in the state of Alabama, but Dr. Hayes does not hold license in AL. The second question was if the individual would be able to obtain an HSP designated license in TN if he would not be providing services in TN. The Board responded that Dr. Hayes could provide supervision for TN clients, but not for AL clients. Additionally, the Board stated that the individual would need to provide service in a direct clinical practice in order to hold an HSP license in TN, and not teaching courses at a university in AL. The Board also stated that most likely, the state of Alabama would have jurisdiction instead of TN.

The Board reviewed correspondence from Dr. Jillian Wolf asking for an extension of her temporary license in order to take and pass the EPPP. The Board asked that a letter be sent to Dr. Wolf requesting a letter from her supervisor and that her work meets the standards of a psychologist and she will be allowed an extension to take the EPPP.

The Board reviewed correspondence from Dr. Rodney Sullivan, which was a letter of resignation from the Board of Psychology. The Board requested that Ms. Spitznas send a letter thanking him for his service, and wishing him the best in the future.

File Review

Dr. Mathis made a motion, seconded by Dr. Loftis, to approve **Nicole Shay** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Loftis, to approve **Sarah Rogers** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Loftis, to approve **Jose Casiano** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Loftis, to approve **Preston Visser** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Mathis, to approve **Steven Lucente** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Milliron, to approve **Dara Williams** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Milliron, to approve **Mark Simpson** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Milliron, to approve **Laura Berrier** for upgrade from Psychological Examiner (PE) to Senior Psychological Examiner (SPE). The motion carried. Mr. Bercaw recused himself from voting.

Dr. Loftis made a motion, seconded by Mr. Bercaw, to approve **Andrew Molnar** to sit for the ethics and jurisprudence examination. The motion carried.

The Board reviewed the file of **Thomas Golden**. Dr. Golden has applied as Psychologist without HSP, as he would not be performing clinical work in TN. After review and discussion, Dr. Loftis made a motion, seconded by Dr. Milliron, to allow Dr. Golden to withdraw his application, and that Ms. Spitznas send Dr. Golden a letter that states, "After review of your transcript, you do not meet the requirement for licensure, as your doctorate degree is not issued from a psychology program." The motion carried.

Dr. Loftis made a motion, seconded by Dr. Milliron, to approve **Emily Beck** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Milliron, to allow **Susan Sharp** to sit for the ethics and jurisprudence exam, pending receipt of the post-doc form and the EPPP score from another state. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Loftis, to approve **Michael Worsley** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Loftis, to approve **Cynthia Jackson** for a temporary license, and approve for the EPPP and E&J exam. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Loftis, to approve **Caitlin Stone** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Loftis, to approve **Susan Buffington** to sit for the E&J exam, pending receipt of the EPPP score and verification from Georgia.

Mr. Bercaw made a motion, seconded by Dr. Loftis, to approve **Maria Turley** for upgrade from PE to SPE. The motion carried.

Mr. Bercaw made a motion, seconded by Dr. Loftis, to approve **Deidre Dickson** for upgrade from PE to SPE. The motion carried.

New Business

The Board briefly addressed the question if hypnosis is covered under the scope of practice. Ms. Barde advised the Board that Ms. Putnam's opinion was that it is not, as it does not show in the statute nor in the rule; however, the Board stated that it is shown in the scope of practice in the Board rules. The Board decided to revisit this topic at a future meeting.

Dr. Auble brought up the topic of updating the current E&J exam to meet the new rules. Drs. Loftis and Auble volunteered to review both versions of the current exam to determine if any updates need to be made.

Adjourn

With no other Board business to conduct, Dr. Auble declared the meeting adjourned at 1:25 pm.

Ratified by the Tennessee Board of Examiners in Psychology on December 18, 2014