

TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY

DATE: September 10, 2015

TIME: 9:00 a.m., CST

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

BOARD MEMBERS

PRESENT: J. Trevor Milliron, Ph.D., Vice Chair
Pamela Auble, Ph.D.
David C. Mathis, Ed.D.
Mark Loftis, Ph.D., Sr. Psychological Examiner
Rebecca Joslin, Ed.D., Ph.D.
Janice Pazar, Ph.D.
M. Annette Little, Ph.D., BCBA-D

BOARD MEMBERS

ABSENT: Timothy Urbin, Ph.D.

STAFF

PRESENT: Tammy Turner, Board Administrator
Teddy Wilkins, Administrative Director
Paetria Morgan, Board Attorney

Dr. Milliron, Vice Chair, called the meeting to order at 9:00 a.m. A roll call voted was conducted and a quorum was present.

Dr. Milliron thanked Mr. George H. Bercaw, M.A., Sr. Psychological Examiner, for his years of service on the Board as a member and Chair and for all the work he has done.

Election of Officers

Dr. Auble made a motion, seconded by Dr. Pazar, to nominate Dr. Milliron for chair. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Joslin, to nominate Dr. Pazar for vice-chair. The motion carried.

Ms. Turner asked the Board members to designate a consultant. Dr. Pazar agreed to be the Board consultant.

Minutes

Upon review of the June 11, 2015 minutes, Dr. Pazar made a motion, seconded by Dr. Little, to approve the minutes as written. The motion carried.

Applicant Interview

The Board reviewed the application of **Melinda Lehman** who is applying for a Certified Psychological Assistant.

Ms. Turner stated Ms. Lehman's application had been sent to Dr. Milliron and Dr. Auble for review prior to today's meeting.

Dr. Milliron said the graduate course in abnormal psychology was missing from Ms. Lehman's application.

Dr. Auble stated that Ms. Lehman must have an HSP supervisor who meets with her once a week. Dr. Auble further stated that Dr. Rust, who was her academic supervisor, did not indicate he supervised her during her practicum, which does not comply with the supervision requirements.

Dr. Auble said the letters of recommendation must be by a psychologist or senior psychological examiner and that the letter from Donna Jacobs needed to be more detailed as it was not clear if she had knowledge of Ms. Lehman's performance.

Ms. Lehman said Dr. Rust was her program director and she did meet with him on a regular basis.

Upon review of the course Ms. Lehman took in lieu of abnormal psychology and the e-mail sent Ms. Turner by Ms. Lehman's academic supervisor, Dr. Milliron said his concern is that the course specifies children and not adults.

Ms. Morgan stated that pursuant to T.C.A. §63-11-208 "the Board may, at its discretion, consider equivalent training and experience when presented by qualified applicants with a master's degree in psychology whose credentials differ slightly than those prescribed in subdivisions (b)2(d)."

Ms. Morgan said all applicants in a graduate training program must show evidence of supervised practicum experience in administration and interpretation of psychological testing, assessment procedures, social history and feedback, interviewing techniques as determined by the board in order to fulfill the educational requirements for certification. Ms. Morgan said there is some degree of flexibility; however, the burden of proof falls on the applicant and it's not the Board's responsibility to determine if the course is equivalent.

Upon discussion, the Board determined that Ms. Lehman has met the educational requirements.

Dr. Auble made a recommendation, seconded by Dr. Loftis, to approve Ms. Lehman for certification as a Certified Psychological Assistant contingent on receiving information from

Dr. Rust that he supervised Ms. Lehman once a week during her practicum, a more detailed letter of recommendation from Donna Jacobs and clarification from the CPA letter of recommendation that she is also a licensed school psychologist. The motion carried.

Office of Investigations

Ms. Dorroh stated there are three (3) complaints against Psychological Examiners and eighteen (18) complaints against Psychologists. Ms. Dorroh said two (2) of the complaints against Psychological Examiners are ready for review and sixteen (16) of the complaints against Psychologists are ready for review.

Ms. Dorroh said the number of monitored practitioners has gone down from seventeen (17) to twelve (12).

Dr. Loftis asked if there were a lower number of complaints because of the ethical continuing education requirements.

Ms. Dorroh said she would try to obtain that information for the Board.

Tennessee Colleague Assistance Foundation, (TCAF)

Brian Wind, Ph.D., TCAF Executive Director, stated that the foundation has received a dramatic decrease in referrals over the last few years and have received only five (5) in the last few months for alcohol and drug abuse. Dr. Wind said the foundation launched a new web site which is much more interactive, they redesigned their marketing and promotional material, are working on a digital monitoring system, and signed a contract with Blue Cross Blue Shield of Tennessee. Dr. Wind said they are doing a trial case with the Licensed Professional Counselors Board.

Dr. Wind said he and Dr. Murphy Thomas discussed the best course of action for the foundation which will be recognized as an official monitoring provider.

The Board thanked Dr. Wind for his presentation.

Office of General Counsel

Ms. Morgan stated there are no consent orders, agreed orders or pending legislation to present to the Board at this time.

Ms. Morgan said there are two (2) open cases in OGC.

Ms. Morgan said the fee reduction rules were sent to the Attorney General's office, June 18, 2015, and the telepsychology rules are in the internal review process, after which a rulemaking hearing date will be determined.

Ms. Morgan reviewed the rule amendment process stating the rules go through the Board's advisory attorney, deputy, chief deputy, general counsel, commissioner's office, governor's office, secretary of state's office and, after the rulemaking hearing date, goes to the attorney general's office for legality, after which they are sent to the Secretary of State's Office where they remain for ninety days. Ms. Morgan said during that time there will be a meeting with the Government Operations Committee who has the authority to stay the rules for seventy (75) days.

Mr. Morgan advised the Board that they are required to disclose any conflicts of interest they may have which may impeach their ability to make an unbiased opinion and, if there is a conflict, the Board member must recuse him/herself from the meeting

Review Correspondence

Dr. Milliron stated that it is the Board's obligation to protect the public and to help implement the laws that have been written and asked Ms. Morgan to give the Board insight on the process the Committee and the Board have in that process.

Ms. Morgan said the Applied Behavior Analyst (ABA) Licensing Committee statute T.C.A. §63-11-304(h) states that any actions taken in accordance with this part shall only be effective after adoption by a majority vote of the members of the Committee and after adoption by a majority vote of the members of the Board at the next Board meeting at which administrative matters are considered following the adoption by the committee. Ms. Morgan said the committee has voted to send the rules to the Secretary of State's Office with a notice of hearing and are not asking the Board to approve the rules at this time.

Ms. Morgan said after the hearing the rules will go to the Committee for approval and then come before the Board for final approval before they go to the Attorney General's Office for legality.

Ms. Morgan stated that all interested parties will be notified of the rulemaking hearing in advance and it will be posted on the Committee's web site.

Dr. Milliron said if the Board members have any concerns they need to be discussed today.

Ms. Turner said Behavior Analysts are certified by the national association and must obtain continuing education.

Ms. Wilkins said when Licensed Behavior Analysts renew their license they must submit proof they are in good standing with the national association and complied with the association's continuing education requirements.

Upon discussing the continuing education requirements by the national association, Dr. Milliron suggested adding three (3) hours of continuing education in Tennessee law and ethics.

Dr. Little recommended following the BACB guidelines and not being specific as the BACB requirements may change as they are moving from a three (3) year renewal cycle to a two (2) year cycle and have a tiered level of continuing education requirements.

Dr. Mathis stated there were twelve (12) individuals that signed the TPA letter and suggested involving TPA on the front end in a refining process which would help the Committee.

Dr. Milliron said his concern with the TPA letter is that their mandate is different than the Board's and cannot accept what they say as being our mandate as well.

Dr. Mathis said he is not suggesting that the Board abdicate their responsibility in that regard but that TPA is more informed on the issue in this early phase in trying to refine the language.

Dr. Pazar said we need to make sure there are transparency and legality and minimizing misunderstanding.

Ms. Morgan said the Board needs to keep in mind that the rulemaking is the appropriate forum to bring organizations together to voice the public comment. Ms. Morgan stated that TPA is not the only organization that has positive input or feedback to give in this process and the rulemaking hearing would be the appropriate place to invite all organizations that may have an interest Behavior Analyst certification.

Ms. Turner asked the Board if they want to send a formal response to TPA.

Dr. Loftis said he would respond to TPA's letter and thank them for their input and highly recommend that they attend the rulemaking hearing and other Board and Committee meetings.

Dr. Little stated if the Board includes the BACB code in the Committee's rules they need to add the ABA code also.

Dr. Milliron reviewed TCA §63-11-302, which defines the scope of practice for Behavior Analysts, stating he has heard several Board members say the language the TPA suggested is too restrictive.

Dr. Auble said TPA recommended more specification of the types of populations they can assess and treat.

Ms. Morgan asked the Board to keep in mind that if the statute grants the authority, it cannot be diminished.

Dr. Mathis said the words assessment and testing implies two different things and suggested giving attention to defining what assessment is and is not and clarifying that Behavior Analysts do not do assessments for diagnostic purposes.

Dr. Norman Stephenson, TPA representative, addressed the Board stating that TPA wants to make sure that Behavior Analysts are part of psychology and can become members of the TPA.

Dr. Stephenson said they want to assure that Behavior Analyst have the resources of the Tennessee Colleague Assistance program.

Dr. Stephenson stated that many Behavior Analysts are employed by Psychologists/HSP and Senior Psychological Examiners and if they are not under the APA code of ethics the TPA will strongly reject.

Dr. Milliron asked if the TPA had any concerns about both Code of Ethics being required.

Dr. Stephenson said that everyone licensed by the Board must take the jurisprudence exam and thinks it would be of the Behavior Analyst requirements.

Dr. Loftis said they could make that part of the exam but the exam would have to be revised to include Behavior Analysts, or have another exam, and proposed adding questions to the Psychology jurisprudence exam so psychologists can understand how ABA's work within the Board of Psychology.

Dr. Loftis suggested that the TPA have someone in the Behavior Analyst community make a presentation at the next TPA conference.

Stephenson said there will be a program next fall on Behavior Analyst.

Dr. Stephenson said in reading the Applied Behavior Analyst statute it appears that anything that qualifies continuing education for psychologists would be acceptable for ABA continuing education.

Dr. Loftis said he would be willing to work on a sub-committee for a cross-walk for continuing education requirements, ethical guidelines and current licensing requirements between the two (2) entities.

Dr. Milliron asked Dr. Little and Dr. Loftis to divide the issues and submit them to Ms. Turner for review at the next APA Committee and Psychology Board meetings.

Ms. Morgan said pursuant to T.C.A. §63-11-310 all licensees shall comply with their respective certifying entity's Guidelines for Responsible Conduct and Professional Disciplinary and Ethical Standards. Ms. Morgan said that cannot be taken off the table but can include additional requirements from the Psychology Board rules.

Ms. Morgan said any changes to the rules needed to be done at the rulemaking hearing and the Board can attend as a member of the public.

The Board reviewed a letter from **Christopher Quarto, Ph.D.** asking if he can scan original client records and store them in an encrypted external hard drive in a secure location.

Ms. Turner said the statute requires records to be kept for seven (7) years but does not specify licensees must keep paper records.

Ms. Morgan said it doesn't specifically say electronic records are not allowed; however, Dr. Quarto refers keeping them in a cloud which may not be the best practice to destroy records and keep electronic records in a cloud. Ms. Morgan said the Board may not want to send that message out to other licensees.

Dr. Loftis suggested informing Dr. Quarto that there is nothing in the statute that prevents a licensee from keeping records electronically, but it would be his responsibility to keep the records in the most secure method as possible.

Administrative Report

Ms. Turner stated there are 1372 licensed Psychologists, 449 licensed Psychological Examiners/Senior Psychological Examiners and 39 Certified Psychological Assistants as of September 8, 2015.

Ms. Turner said there are seventeen (17) Psychology applications in process, nineteen (19) newly licensed, two hundred and one (201) renewals, seven (7) retired, five (5) expired and four (4) reinstated. Ms. Turner said one hundred and twenty four (124) renewed online which is 62%.

Ms. Turner said there are no Psychological Examiners/Senior Psychological Examiner applications in process, one (1) upgrade to a Senior Psychological Examiner, seventy-nine (79) renewals, two (2) retired, one (1) expired and one (1) reinstated. Ms. Turner said forty-four (44) renewed online which is 56%.

Ms. Turner said there are four (4) Certified Psychological Assistant applications in process, zero (0) newly licensed and five (5) renewals, zero (0) retired, two (2) expired and zero (0) reinstated. Ms. Turner said five (5) renewed on line which is 100%.

Ms. Turner discussed an update on **Dr. Douglas Roberio**, who appeared at the June 2015 meeting regarding his provisional license, which expired October 3, 2014.

Ms. Turner said Dr. Auble made a motion that Dr. Roberio complete six (6) hours of continuing education in Tennessee Ethics and Jurisprudence and provide documentation that his supervisor on record has notified the six (6) clients that Dr. Roberio was not provisionally licensed during the time he evaluated the clients. Ms. Turner said the Board recommended that his supervisor obtain six (6) hours of continuing education in Tennessee ethics and jurisprudence at which time Dr. Roberio would be eligible to extend his provisional license.

Upon review of the documentation submitted by Dr. Roberio and his supervisor, Dr. Loftis made a motion, seconded by Dr. Auble, to approve Dr. Roberio for a provisional license. The motion carried.

Newly Licensed

Dr. Loftis made a motion, seconded by Dr. Auble, to approve the following newly licensed Psychologists:

**Priya Banjeree
Michelle Black
Tera Lynn Bradley
Marci Breedlove
Elvin Burton
Michelle Gaines
Sara Haugli
Catherine Herrington
Angela Hilton
Ali Kaplan**

**Cynthia King
Nicole Knickmeyer
Alixandra Lyon-Bramhall
Sheri Nsamenang
Julia Strait
Rachel Taubenheim
Julia Thompson
Diane Vendryes
Maria Walton**

The motion carried.

Reinstated and Upgraded Licensees

Dr. Auble made a motion, seconded by Dr. Pazar, to approve the following reinstated Psychologists, Psychological Examiner and Psychological Examiner Upgrade to Senior Psychological Examiner:

Psychologists

**Thomas Ford
Nikel Rogers-Wood
Robert Sherman
Phillip Wright**

Psychological Examiner

Elizabeth Sloan

Psychological Examiner upgrade to Senior Psychological Examiner

Timothy Prosser

The motion carried.

Agreed Citations

Dr. Auble made a motion, seconded by Dr. Little, to approve the following Agreed Citations for continuing education violations:

**Glenda Stockwell, Ph.D.
Connie Cole, Ph.D.**

The motion carried.

Dr. Loftis made a motion, seconded by Dr. Little, to approve the following Agreed Citation for a lapsed license violation:

Robert Sherman, Ph.D.

The motion carried.

Discuss and Vote on a Board Consultant

Dr. Loftis made a motion, seconded by Dr. Pazar, to nominate Dr. Auble as the Board Consultant to review complaints with OGC. The motion carried.

Ms. Turner asked if she could have a Board member come to the office once a month to review files to approve applicants for a provisional license, temporary license or go to work letters rather than having the Board review the applications at the Board meeting. Ms. Turner said the only files that would go out for review for the Board meeting would be those applications the reviewer felt needed to be reviewed by the entire Board.

Dr. Joslin, Dr. Loftis and Dr. Auble agreed to come to the Board office to review application files.

Dr. Pazar made a motion, seconded by Dr. Little, to approve Dr. Joslin, Dr. Loftis and Dr. Auble to review application files at the Board office on an as-needed basis. The motion carried.

Licensure File Review

Dr. Auble made a motion, seconded by Dr. Loftis, to approve **Amber Thornton, Ph.D./HSP** to sit for the EPPP and Ethics and Jurisprudence examinations, pending completion of her post-doctoral supervised experience. The motion carried.

Dr. Auble made a motion, seconded by Dr. Little, to approve **Karen Tringle, Ph.D./HSP** for licensure, pending receipt of a third letter of recommendation. The motion carried.

Dr. Auble made a motion, seconded by Dr. Loftis, to approve **Michele Lemolo, Ph.D. /HSP** to be issued a provisional license, pending confirmation of her doctorate degree in October 2015 from Cairo Albiza University. The motion carried.

Dr. Auble made a motion, seconded by Dr. Loftis, to approve **Wendy Melson**, to be issued a **Certified Psychological Assistant** certificate pending receipt of a clean criminal background check. The motion carried.

Dr. Joslin made a motion, seconded by Dr. Auble, to approve **Uduakobong Ikpe, Ph.D./HSP** to be issued a provisional license and sit for the Ethics and Jurisprudence examination pending confirmation of her post-doctoral supervised experience. The motion carried.

Dr. Joslin made a motion, seconded by Dr. Pazar, to approve **Nissa York, Ph.D./HSP** to be issued a provisional license and sit for the EPPP and Ethics and Jurisprudence examinations. The motion carried.

Dr. Joslin made a motion, seconded by Dr. Auble, to approve **William Little, Jr., Ph.D./HSP** to be issued a provisional license and sit for the Ethics and Jurisprudence examination pending receipt of a letter of recommendation. The motion carried.

Dr. Joslin made a motion, seconded by Dr. Loftis, to approve **Valerie Hooper, Ph.D./HSP** to be issued a provisional license and sit for the EPPP and Ethics and Jurisprudence examinations pending confirmation of her doctoral degree. The motion carried.

Dr. Little made a motion, seconded by Dr. Loftis, to approve **Hillary Duckworth, Ph.D./HSP** to be issued a provisional license and sit for the EPPP and Ethics and Jurisprudence examinations. The motion carried.

Dr. Mathis stated he had personal knowledge of the applicant Laura McCracken and recused himself from the meeting.

Dr. Little made a motion, seconded by Dr. Auble, to approve **Laura McCracken, Ph.D./HSP** to be issued a license pending confirmation of a passing score on the Ethics and Jurisprudence examination. The motion carried.

Dr. Little made a motion, seconded by Dr. Auble, to approve **Ruth Wolever, Ph.D./HSP** to be issued a license pending confirmation of a passing score on the Ethics and Jurisprudence examination. The motion carried.

Dr. Little made a motion, seconded by Dr. Pazar, to approve **Jeremy Lynch, Ph.D./HSP** to be issued a provisional license and sit for the EPPP and Ethics and Jurisprudence examinations pending receipt of a letter of recommendation from Dr. Winthorn. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Mathis, to approve **Katherine Ellis**, to be issued a **Certified Psychological Assistant** certificate pending receipt of her affidavit of supervision. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Auble, to approve **Emily Davis, Psychological Examiner**, to be upgraded to a **Senior Psychological Examiner**. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Little, to approve **Danielle Miro**, to be issued a

Certified Psychological Assistant certificate. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Auble, to approve **Megan Avery, Ph.D./HSP** to be issued a provisional license and sit for the EPPP and Ethics and Jurisprudence examinations. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Auble, to approve **Angella Kocian, Ph.D./HSP** to be issued a license pending confirmation of a passing score on the Ethics and Jurisprudence examination. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Little, to approve **Jaclyn Fleck, Psy.D./HSP** to be issued a provisional license and sit for the EPPP and Ethics and Jurisprudence examinations. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Loftis, to approve **Heidi Posavac, Ph.D./HSP** to sit for the Ethics and Jurisprudence examination, pending receipt of a letter from her supervisor at the University of Rochester documenting four hundred (400) additional hours of post-doctoral supervised experience. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Auble, to approve **Patti Fite, Certified Psychological Assistant**. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Joslin, to approve **Jeffrey Hine, Ph.D./HSP** to sit for the Ethics and Jurisprudence examination. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Pazar, to approve **Caroline Acra, Ph.D./HSP** to be issued a provisional license and sit for the Ethics and Jurisprudence examination. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Auble, to approve **Renee Hill, Ph.D./HSP** to be issued a provisional license and sit for the EPPP and Ethics and Jurisprudence examinations. The motion carried.

Dr. Auble made a motion, seconded by Dr. Pazar, to approve **Jillian Wolf, Ph.D./HSP** to be issued a temporary license to sit for the Ethics and Jurisprudence examination pending successfully passing the EPPP examination. The motion carried.

Dr. Pazar made a motion, seconded by Dr. Loftis, to approve **Rebecca Green, Ph.D./HSP** to be issued a provisional license and sit for the EPPP and Ethics and Jurisprudence examinations pending confirmation of her doctoral degree. The motion carried.

Dr. Pazar made a motion, seconded by Dr. Little, to approve **Sarah Bauman, Ph.D./HSP** to be issued a provisional license and sit for the EPPP and ethics and Jurisprudence examinations. The motion carried.

Dr. Pazar made a motion, seconded by Dr. Mathis, to approve **Sarah Irby, Ph.D./HSP** to be issued a temporary license and sit for the Ethics and Jurisprudence examination. The motion carried.

Dr. Pazar made a motion, seconded by Dr. Loftis, to approve **Dustin Lamport, Ph.D./HSP** to be issued a provisional license and sit for the EPPP and ethics and Jurisprudence Examinations pending receipt of a letter of recommendation from Dr. James Stefurak. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Auble, to approve **Alicia Caffery, Ph.D./HSP** to be issued a license upon passing the Ethics and Jurisprudence examination and receipt of a letter of recommendation and a clean criminal background check. The motion carried.

The Board asked if there is a date for the Applied Behavior Analyst Committee rulemaking hearing. Ms. Turner stated she would send the Board members notification of the hearing.

Other Board Business

The Board discussed updating the current Ethics and Jurisprudence Examinations and adding an additional exam.

At the request of Ms. Turner, the Board also discussed an electronic version of the examination and allowing continuing education hours for passing the exam.

Dr. Milliron suggested waiting until the Applied Behavior Analyst Committee rules and the Telepsychology rules are in place before making changes to the Ethics and Jurisprudence examination.

Ms. Morgan said they want to incorporate the continuing education and ethics recommendations the sub-committee made to the Applied Behavior Analyst rules and asked that those be submitted as soon as possible.

Adjourn

With no other Board business to conduct, Dr. Loftis made a motion, seconded by Dr. Mathis, to adjourn at 1:24 p.m. The motion carried.