

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
July 20, 2018

FINAL APPROVED: August 24, 2018

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was noticed and agenda posted on, Wednesday, July 18, 2018. Dr. Jesse Lambert, Vice-Chair and Acting Chair, called the meeting to order at 8:30 a.m. on Friday, July 20, 2018 at 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. Present were Board Members, Drs. Jesse Lambert, Koren Boggs, Amy Henke, and Gregory (Greg) Gormanous, Executive Director, Jaime T. Monic and Attorney Courtney P. Newton. Drs. Kim VanGeffen and W. Alan Coulter were also present on behalf of the Louisiana Psychological Association. Dr. Leah Crouch, LSBEP Member was absent from the meeting.

Dr. Lambert opened the meeting by reading the Declaration of Purpose under LA R.S. 37:2351.

Dr. Lambert welcomed newest member, Dr. Greg Gormanous to the LSBEP and offered commendations to outgoing member, Dr. Phillip Griffin.

Dr. Boggs moved to approve the agenda for the day. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

Membership Election for Chair and Vice Chair of the LSBEP - Dr. Gormanous moved in to nominate Dr. Lambert to serve as Chair of the LSBEP. Dr. Boggs seconded the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

Dr. Henke moved to nominate Dr. Boggs to serve as Vice Chair of the LSBEP. Dr. Gormanous seconded the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

Dr. Lambert appointed the following committees:

Finance Committee:

Dr. Lambert, Dr. Boggs

Complaints Committee:

Dr. Lambert, Dr. Boggs

Long Range Planning Committee:

Dr. Crouch, Dr. Gormanous

Legislative Oversight Committee:

Dr. Lambert, Dr. Gormanous

Supervision & Credentials Review:

Dr. Henke, Dr. Crouch

LABA Liaison:

N/A - Position abolished in the 2018 Regular Session

Oral Examination Committee:

Dr. Boggs, Dr. Henke

Liaison Professional Organizations/Boards:

Dr. Boggs, Dr. Gormanous

Jurisprudence Exam Committee:

Dr. Boggs, Henke

Continuing Professional Development Committee: Dr. Henke, Dr. Crouch

The Board reviewed and discussed the meeting minutes from June 22, 2018. Dr. Henke moved to table approval until the July meeting due to the absence of a quorum of the members who were present at the June 22, 2018 meeting who could affirm the accuracy of those minutes. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

The Board received an online presentation from Timmothy Bell at StateReporting.com regarding a continuing professional development reporting program.

COMMITTEE REPORTS: The Board received the following committee reports:

Executive Director Report – Ms. Monic notified the Board that the 58th Annual Meeting of the Association will be held October 17-21, 2018 at The Little America Hotel, Salt Lake City, Utah. The 2018 ASPPB Annual Meeting program focus will be, “The Global Practice of Psychology: Impact on Regulation and Credentialing”. Ms. Monic reported that the fiscal impact statement on the proposed rules to amend Chapter 8 had been submitted to the Legislative Fiscal Office but had not been approved to date. Ms. Monic reminded the members of the Board to complete their ethics training for 2018. Ms. Monic reported that there are no updates on the following matters: U.S. District Court Western District Of Louisiana – Lafayette Division, Eric Cerwonka v. LSBEP Civil Action No. 6:17-cv-01095-UDJ-CBW; 19TH JDC, EBR Parish, Eric Cerwonka v. LSBEP, No.656,587 Div. I; LA Supreme Court, Application of Eric Cerwonka for a Writ of Certiorari Directed to the to the First Circuit Court of Appeal, Docket No. 2017 CA 1199.

Finance Committee Report - Dr. Lambert reported that he reviewed and approved Leave Reports for Ms. Monic. Ms. Monic reported that with the expanded accounting duties approved by the board for Ms. Valerie Dominique to prepare bills, we are able to default to original procedures for bill approval by the Executive Director. A policy review will be conducted to assure any necessary revisions are made. The Board reviewed and by motion of Dr. Boggs accepted the Financial Statements for June 2018 prepared by Valerie Dominique, CPA.

Oral Examination Committee Report – Dr. Boggs reported no oral examinations were scheduled for today.

Supervision/Credentials Review – Dr. Henke reported file reviews had been conducted and would be presented to the board for discussion in executive session.

Complaints Committee: - Dr. Lambert reported that the Ad Hoc Complaints Committee workgroup met this date to reviewed proposed revisions to the rules/procedures impacting disciplinary action by the board, and that recommendations were progressing. Ms. Monic indicated that the committee will meet one more time prior to having a draft to submit to the board for review and consideration.

Liaison to Professional Organizations and Boards Report – No report.

Continuing Professional Development Committee – Dr. Henke reported she and Dr. Crouch had been actively reviewing continuing professional development reports as well as extension and hardship exemption requests for 2018-19 license renewals. Ms. Monic presented on behalf of Dr. Leah Crouch, her intention to present on the continuing professional development requirements to the Tulane University faculty. The board affirmed Dr. Crouch’s participation in the presentation occurring as her role as a faculty member of Tulane and requested she provide a disclosure that her presentation was not a board presentation and did not reflect the views or opinions of the board. It was requested that Ms. Newton draft language for the board to consider and approve as policy for members involved extracurricular activities outside of their duties as a board member.

Long Range Planning/Awards Committee – No report.

Jurisprudence Examination Committee – Dr. Boggs reported that the committee met this morning and continue to work on developing modules and questions for an online format.

Legislative Oversight Committee Report – Reserved for discussion.

DISCUSSION/ACTION ITEMS:

1. **2018 Regular Legislative Session Updates** (CPN)-

Attorney Newton presented on the Acts of the 2018 Legislative Session including SB260 MILKOVICH – ACT 655; SB40 MILLS – ACT 515; HB748 EMERSON – ACT 693; HB372 CONNICK – ACT 623; HB189 WRIGHT – ACT 454., and also La. Rev. Stat. Ann.§49:953.C. Ms. Newton advised these acts, as well as La. Rev. Stat. Ann.§49:953.C., required rulemaking. The board affirmed the need to proceed with rulemaking to satisfy the legislative requirements and by motion of Dr. Boggs, approved a workorder for Attorney Newton to initiate drafting rules for consideration by the board. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

2. **Office Lease:** Ms. Monic discussed the status of the negotiations for the Sherwood Oaks Office Park, Sherwood Forest Blvd. alerting them that the provision for an operating cost adjustment proposed by the landlord had been disallowed by Facility Planning and Control. An amendment would be proposed, but it was unknown at the time what that would look like.

3. **Contract Review: Taylor, Porter, Brooks & Phillips, L.L.P.** – The board reviewed the contract for TPBP and by motion of Dr. Henke, unanimously approved a 3rd amendment to the July 1, 2016- June 30, 2019 contract, to increase the total amount of the contract from \$55,500 to 68,000 to cover the continuing legal expenses of the board.

The following Motion and Resolution was offered by Amy Henke, Psy.D. who moved for its adoption, and seconded by Koren Boggs, Ph.D. at the **July 20, 2018**, meeting of the Louisiana State Board of Examiners of Psychologists (the “Board”):

WHEREAS the BOARD is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, ...general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and

WHEREAS the BOARD licenses psychologists and specialists in school psychology, conducts hearings on complaints concerning the disciplining of licensees, and may cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and

WHEREAS the BOARD requires the continuing services of an attorney who specializes in administrative law to provide general counsel to the board in carrying out its functions; and

WHEREAS the BOARD is currently in a multi-year contract with Taylor, Porter, Brooks and Phillips, LLP to provide these services; and

WHEREAS the funding for the current contract has been exhausted due to litigation in the following matters: 19TH JDC, EBR Parish, Eric Cerwonka v. BOARD, No.656,587 Div. I; 1ST LOUISIANA CIRCUIT COURT OF APPEALS No 2017-CA-1199, Appeal from the 19th JDC; and La. Supreme Court Case No. 2018-C-760, requiring an amendment to the total amount of the contract.

WHEREAS an increase of \$12,500 has been approved to be added to the contract amount, increasing the total amount of the contract to \$68,000 for the remainder of the contract through Fiscal Year June 30, 2019; and

WHEREAS the Board authorizes Ms. Jaime Monic, Executive Director, to facilitate this contract in accordance with the policies, procedures, regulatory and statutory contracting requirements of the state; and

WHEREAS, this resolution shall take effect immediately.

THEREFORE BE IT RESOLVED that the Louisiana State Board of Examiners of Psychologists, pursuant to R.S. 37:2353.C(2), does hereby retain and employ Taylor, Porter Brooks & Phillips, L.L.P. as general counsel; and

BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval.

The motion passed by unanimous roll call vote of the members present as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

4. **End of Year Financial Report to OSRAP/Compilation Report** – Ms. Monic discussed with the Board their option to allow Valerie Dominique to assist with the Annual Financial Report to OSRAP in lieu of pursuing an independent compilation report. Ms. Monic advised that the board would undergo an independent audit by the Legislative Auditor and could opt to forgo the Independent Compilation as it is not required and would therefore result in substantial savings. Dr. Henke moved in favor of forgoing the independent compilation and utilizing Ms. Dominique to assist with the Annual Financial report to OSRAP. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

5. **Expedited Military Application** – Ms. Monic discussed with the board the need to improve the expedited military application process following SCR 83 by Peacock which urges board to display

prominently on their website, a process for licensure of military applicants and their spouses. Options were provided. Dr. Boggs agreed to review the current process and regulations with Ms. Monic to provide recommendations for better developing this process.

6. **ASPPB Social Media Guidelines Survey** – The Board reviewed and discussed their participation in this survey. Dr. Gormanous expressed his interest to participate in the survey. Amy Henke moved in opposition to participating in the survey offering her opinion that guidelines for use of social media were not needed, that a psychologist should conduct their activities in accordance with the LAC, Title 46, Part LXIII. Psychologists. Chapter 13, Ethical Standards of Psychologists. Dr. Henke’s motion passed by unanimous roll of the members present as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

7. **Board Member Reimbursement R.S. 37:2353(5) and LSBEP PPM Sec. 2003.C(3)** – Dr. Henke requested the board consider reinstating board member per diem and mileage reimbursement. Dr. Gormanous requested special consideration for reimbursement considering the distance he would have to travel noting safety concerns for the extended travel from his domicile. The board discussed this matter thoroughly. The Board requested Ms. Monic to obtain financial information on the impact of the current budget were the board to reinstitute these provisions for consideration at the next board meeting.

8. **Legal Training Regarding Cases Impacting La. R.S. 37:2352(9), 37:2360 and 37:2361**: Attorney Courtney P. Newton provided an in-service training to members of the board related to pursuing matters against individuals not licensed with the LSBEP, but are advertising using prohibited terminology such as “psychologist”, “psychological” and “psychology” in their description of services or to represent their credentials to the public.

EXECUTIVE SESSION [LSA R.S. 42.16]:

Dr. Gormanous moved to enter Executive Session pursuant to LSA R.S.42:17.A(4), to review complaint matters and conduct applicant/candidate file reviews. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

By motion of Dr. Henke, the Board unanimously agreed to close executive session to enter the following into the record:

COMPLAINTS

1. **NP16-17-11B** – The Board revisited this matter. In further consideration of the information provided, including the in-service education provided by Attorney Newton, Dr. Boggs moved in favor of dismissing the matter without further action. The motion passed unanimously, by roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Gormanous YEA.

2. **P18-18-04 Tentative Discussion Pending Settlement** – Ms. Monic reported that a resolution of this matter had not been reached, therefore this matter was not presented to the board for discussion.

3. P16-17-14C and P17-18-11C – In accordance with La. R.S. 46:906.A., in order to avoid ex parte consultations and in order to preserve the impartiality of board members eligible to serve on future hearing panels in this matter, Dr. Gregory Gormanous recused from and was not present for any discussion of this matter. Dr. Leah Crouch was absent from the meeting. The Board members present representing a quorum (Drs. Lambert, Boggs and Henke) consulted with Attorney Courtney P. Newton regarding status. Dr. Boggs moved in favor of proceeding with the cases. The motion passed by unanimous roll call vote of the members present for discussion: Lambert – YEA, Boggs- YEA, Henke – YEA.

SUPERVISION/CREDENTIALS COMMITTEE: APPLICANT/LICENSE FILE
REVIEWS [LSA-R.S. 42.17.A(1)]

Dr. Gormanous reviewed and presented the Application for License of **Samantha Watson, Psy.D., Provisional License #1407**, to the Board with a motion to invite Dr. Watson to take the Oral Examination to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Boggs reviewed and presented the Application for License of **Erika M. Rajo, Psy.D., Provisional License #1443**, to the Board with a motion to invite Dr. Rajo to take the Oral Examination to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Boggs reviewed and presented the Application for License of **Meghan E. Borne, Ph.D.** to the Board with a motion to confirm her Candidacy status and invite her to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Boggs reviewed and presented the Application for License of **Crystal M. Tillis, Ph.D.** to the Board with a motion to confirm her Candidacy status and invite her to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Boggs reviewed and presented the Application for License of **David Rick Perkins, Ph.D.** to the Board with a motion to confirm her Candidacy status and invite her to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Gormanous reviewed and presented the Application for License of **Teresa M. Rosetti, Ph.D.** to the Board with a motion to confirm her Candidacy status and invite her to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Kandice A. Bateast, S.S.P. – The LSBEP considered the recommendation of the LSSP Committee, to grant **Ms. Bateast** licensure as a Specialist in School Psychology upon receipt of passing the LSSP Jurisprudence Examination. Dr. Gormanous moved in favor of

accepting the recommendation and issue a license to **Ms. Bateast** upon receipt of passing scores on the LSSP Jurisprudence Examination. The motion passed unanimously.

Dr. Gormanous reviewed Clinical Neuropsychology Respecialization Application for Matthew Calimia, Ph.D.

Dr. Boggs moved to adjourn the meeting at 4:00 p.m. The motion passed unanimously.