

**Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Friday, April 3, 2020**

Final Approved May 20, 2020

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed and agenda posted on, Wednesday, April 1, 2020, technical corrections made and reposted on April 2, 2020. Board Chair, Dr. Koren Boggs, called the meeting to order at 9:14 a.m. on Friday, April 3, 2020 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, LA 70816.

Board Members Present: Drs. Koren Boggs, Amy Henke, Gregory Gormanous, Gina Gibson Michelle Moore, and Consumer Board Member, Mr. Darren “Chance” McNeely; Staff Present: Executive Director, Jaime T. Monic and Compliance Office, Justin Owens.

Public/Guests Present: Morning: Elie Cohen, Alan Coulter, Julie Nelson, Kim VanGeffen, Matthew Holcomb, Erin Reuther. Afternoon: Alan Coulter, Julie Nelson, Kim VanGeffen, Matthew Holcomb, Erin Reuther

Dr. Boggs read the mission statement: “It is hereby declared that the creation of a state board of examiners of psychologists is necessary 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.”

Dr. Gormanous requested that his statement of service be recorded into the minutes as follows: “My serving on LSBEP is to ensure that consumers of psychological services are protected against any unqualified, harmful and unauthorized practice, application or use of psychology. My service is as a consumer advocate and educator. My service is not as a market participant.”

Ms. Monic affirmed that due to COVID19, the Louisiana State Board of Examiners of Psychologists was unable to meet in person for quorum requirements and therefore is holding this board meeting online via Zoom.us., and in accordance with Proclamation JBE2020 – 30, Section 4, and 38-JBE-2020(J) at : Online: <https://zoom.us/j/535378421?pwd=dTJub0FOOEtzYk9VajJYdHo0YmJGUT09> (Meeting ID: 535 378 421, Password: 008215); or One tap mobile - +19292056099,,535378421# US (New York) +13126266799,,535378421# US (Chicago); or Dial by your location (Meeting ID: 535 378 421): +1 929 205 6099 US (New York); +1 312 626 6799 US (Chicago), +1 669 900 6833 US (San Jose), +1 253 215 8782 US, +1 301 715 8592 US, +1 346 248 7799 US (Houston); Find your local number: <https://zoom.us/j/535378421>

REVIEW AND APPROVAL OF AGENDA: Dr. Henke moved to approve the agenda as posted. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: 0; Abstained: 0; Absent: (0)

Ms. Monic reviewed Online Meeting Decorum for guests present.

REVIEW AND APPROVAL OF MINUTES: Ms. Monic reported the March 6, 2020 Minutes had not yet been drafted and were not available for review by the Board.

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

LPA – Louisiana Psychological Association

LA R.S. – Louisiana Revised Statutes

APA – American Psychological Association

LAPA – Louisiana Administrative Procedures

Posted:5/29/2020

Page 1 of 9

COMMITTEE REPORTS:

The Board received Committee and Liaison reports as follows:

1. **Executive Committee Report** – Ms. Monic reported that on the issuance of the Declared State of Emergency by Governor Edwards, the office was closed to the public and employees who have the technology to work from home were sent home in accordance with the “Stay at Home” order. Student workers were temporarily laid off until such time that the “Stay at Home” order is lifted. The Executive Committee has been meeting regularly to respond to the COVID19 Emergency and the office has otherwise remained functional.
2. **Finance Committee** - The Board reviewed Financial Reports prepared by Valeria A. Dominique, CPA for February 2020. Dr. Gormanous moved in favor of accepting the February 2020 Financial Reports. The Board discussed the motion. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: 0; Abstained: 0; Absent: (0)

Dr. Boggs reported she reviewed and approved Leave Reports for Ms. Monic. Ms. Monic Reported she reviewed and approved Leave Reports for Mr. Owens.

3. **Legislative Oversight Committee** –
 - a. 2020 LEGISLATIVE SESSION – Mr. McNeely reported that the 2020 Legislative Session was postponed and there was a lot of uncertainty over what the future held for the 2020 Regular Session. He reported he would know more next week and would keep the members of the Legislative Oversight Committee updated.
 - b. SB 458 LSBEP Housekeeping Legislation Filed – Dr. Gormanous reported the LSBEP housekeeping legislation had been filed as SB458 and there was a Discussion Item on today’s agenda to explore the Legislative Draft.
4. **Supervision/Credentials Committee** – No report.
5. **Complaints Committee** - Mr. Owens reported there was one Complaint docketed for review today in Executive Session.

Mr. Owens presented his **Compliance Report for the period 03/07/20 – 04/03/20** as follows:

Total number of Requests for Investigations received since last meeting: **0**

Total number of Board initiated investigations since last meeting: **1**

Total number of Open *Active* investigations: **14 (4 against non-licensees)**

9 are Formal Complaints

2 from FY17-18

4 from FY18-19

3 from FY19-20

4 are still under review by Complaints Coordinator

Total number of cases closed (as of today’s vote): **0**

Disciplinary Actions: **0**

Applications w/ Arrest Info: 0

DISCUSSION/ACTION ITEMS:

1. **COVID19 Considerations, Response and Waivers** –
 - a– b. **Emergency Procedures Implemented; and Website notifications, Information, Resources, Weekly Wednesday Update emails:** In responding to the COVID19 emergency, upon issuance of the Governors Executive Order’s: 25-JBE-2020, 30-JBE-2020, 33-JBE-2020, 38-JBE-2020 and LA Dept of Health Notice/Order 3/23/2020, Ms. Monic advised that the following procedures were implemented: Emergency Temporary Registration Applications were open for processing; an Executive Committee was formed consisting of the Chair, Vice Chair and Executive Director to respond to the emergency and the

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

LPA – Louisiana Psychological Association

LA R.S. – Louisiana Revised Statutes

APA – American Psychological Association

LAPA – Louisiana Administrative Procedures

massive amount of information and questions being received; the website was updated with information concerning continuing agency operations/licensing; Telesupervision Application fees were waived given the displacement of students, interns and postdoctoral fellows; and the Executive Committee has started sending a Weekly Wednesday Update to manage the information and provide some consistency and regularity to these unprecedented times. Ms. Monic requested that the Board affirm the actions taken by the Executive Committee in response to the COVID-19 Emergency and state their intent to continue, or not, with the provisions made by the Executive Committee. Dr. Gormanous moved in favor of affirming the response of the Executive Committee thus far; and further that the processes established by the Executive Committee thus far continue for the duration of the Declared State of Emergency involving “Stay at Home” requirements; and further that the Executive Committee be authorized to continue to respond to the COVID19 Emergency as they see fit. The Board discussed the motion. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: 0; Abstained: 0; Absent: (0)

c. Supervision Requirements, Telesupervision Applications and fee waiver, Waiving the ration (rules re 50% in person to telesupervision), Consideration for the appropriateness of telesupervision in relation to the level of training -

- Telesupervision - By motion of Dr. Koren Boggs, the Board discussed and approved the following provision related To Tele-Supervision Applications: the \$25 fee for this application will be waived for the duration of the Governor’s “Stay at Home” Order. Local and regional Ordinances issued by Mayors will also be taken into consideration should the statewide Order expire. The application does NOT need to be re-submitted if the licensee has already applied and been approved to provide tele-supervision. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: 0; Abstained: 0; Absent: (0)

- Supervision Requirements – By motion of Dr. Amy Henke, the Board discussed and approved the following provisions related to Supervision Requirements: For the period beginning March 11, 2020, through the duration of the Governor’s “Stay at Home” Order, the Board voted to waive the requirement that at least 50% of approved tele-supervision of trainees and assistants be provided in-person. All other supervision requirements remain the same (e.g., minimum supervision time requirements, appropriateness of activities delegated to assistants and trainees, etc.). The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: 0; Abstained: 0; Absent: (0)

d. Licensing: Oral Examinations, Fingerprinting, National Examination (EPPP), ASPPB Plus procedures for collecting file material. By motion of Dr. Greg Gormanous, the Board discussed and approved the following provisions related to Licensing: Oral examinations for licensure will continue. The Board will waive the in-person requirement for administration of the Oral Examination and will conduct face-to-face examinations via Zoom. LSBEP will continue to process applications and issue licenses in accordance with LA R.S. 37:2356 et al. Background check requirements are not waived, accommodations have been made by La State Police to continue processing background checks for LSBEP. EPPP requirements are not waived, testing centers will begin opening at limited capacity to continue testing and critical infrastructure are priority. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: 0; Abstained: 0; Absent: (0)

e. Impacts on July 1, 2020 Renewals – No changes to renewal requirements.

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

LPA – Louisiana Psychological Association

LA R.S. – Louisiana Revised Statutes

APA – American Psychological Association

LAPA – Louisiana Administrative Procedures

f. Continuing Education Reporting for period: July 1, 2018 - June 30, 2020 and July 1, 2019 - June 30, 2021: By motion of Dr. Amy Henke, the Board discussed and approved the following provision related to CPD: For both the 2020 and 2021 renewal periods, the requirement that CPD credits must be obtained from at least two different subcategories under the LAC §803 is waived. That is, licensees can obtain all CPD credits from activities in **one** of the nine subcategories listed in the LAC Chapter 8. Additionally, the number of required CPD credits is reduced from 40 to 30, understanding the hardship imposed on all licensees during this crisis. The motion passed by roll call vote as follows: In favor (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: 0; Abstained: 0; Absent: (0)

2. **2020 Legislative Review**

a. LSBEP Housekeeping Legislation SB 458-Luneau – Dr. Julie Nelson expressed general opposition to the Legislation for various reasons including her opinion that it expanded the authorities of the Board in an overreaching manner. Dr. Nelson also asked if there had been a formal motion to file legislation. Ms. Monic replied “yes”. The previous minutes were referenced for clarity. Specifically, Dr. Nelson asked whether or not the Board had the authority to propose legislation. Mr. McNeely explained that public entities created by the legislature, such as LSBEP, have an obligation to notify the legislature if provisions of law limit the ability of such entity to sufficiently meet its charge, in this case, of public protection. Mr. McNeely further explained that while LSBEP sought an author for this legislation, it is the legislator who ultimately decides to file and is the author of legislation. Mr. McNeely closed his remarks stating that actions in pursuit of legislation taken by the LSBEP are not only allowed, but also common and appropriate.

Drs. Erin Reuther, Kim VanGeffen, W. Alan Coulter, Matthew Holcomb provided comments and requested additional information to address questions and concerns related to:

- Definition of the Practice of Psychology
- Definition of Psychology
- Board Composition
- Board Authority
- Summary Suspension Authority
- Continuing Education and Fees
- Registration of Assistant to Psychologist
- Public Hearings and Record Reporting

After hearing comments, concerns, and discussing the matter at length, due to time limitations at approximately 12:45PM Dr. Gormanous proposed to break for Lunch and resume the legislative discussion following Executive Session. The Guests agreed they would be able to return for the discussion. With affirmation from the guest attendees, on motion of Dr. Gormanous, the Board recessed for Lunch and reconvene for Executive Session at 1:00 PM. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

At 1:10 PM the meeting was again called to order by Dr. Koren Boggs. Board Members Present: Drs. Koren Boggs, Amy Henke, Gregory Gormanous, Gina Gibson Michelle Moore, and Consumer Board Member, Mr. Darren “Chance” McNeely; Staff Present: Executive Director, Jaime T. Monic and Compliance Office, Justin Owens.

EXECUTIVE SESSION: Dr. Gormanous moved to enter Executive Session pursuant to LSA R.S.42:17.A(2) and (4) to consider complaint matters. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

LPA – Louisiana Psychological Association

LA R.S. – Louisiana Revised Statutes

APA – American Psychological Association

LAPA – Louisiana Administrative Procedures

Dr. Gormanous moved to close Executive Session to enter the Open Meeting and report on Executive Session matters. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

Guests returning for the afternoon discussion were Alan Coulter, Julie Nelson, Kim VanGeffen, Matthew Holcomb, Erin Reuther

COMPLAINTS [LSA R.S. 42.16]:

P18-19-05C – Following thorough investigation, review and consideration of all evidence, Dr. Sasha Lambert, Attorney Courtney Newton, and Compliance Officer Justin Owens presented this matter to the Board in Executive Session reporting that there was insufficient evidence to support disciplinary action in this matter. The Committee recommended to the Board that the matter be dismissed with a Letter of Education summarizing relevant facts as well as the education and information provided to the Respondent during the December 20, 2019 face-to-face meeting. After consideration, Dr. Amy Henke moved to accept the Committee’s recommendation to dismiss the matter without disciplinary action and with a letter of education. The Board discussed the motion. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

DISCUSSION/ACTION ITEMS: CONTINUED...

The Board continued its discussion regarding LSBEP Housekeeping Legislation SB 458-Luneau. After considering comments, Mr. McNeely stated his desire to continue discussing the Legislative Draft as he understood the Association’s perspective. However, from a regulatory and public protection perspective, he believed the legislation was important and necessary. Mr. McNeely moved that the Board create an AdHoc working committee made up of those potentially impacted in the industry for the purposes of reviewing, discussing and potentially revising SB 458. The Board discussed the motion. Dr. Gormanous suggested the inclusion of the Louisiana Psychological Association, the LSBEP Legislative Committee, the Louisiana Association of Medical Psychologists, and the Louisiana School Psychology Association. The Board discussed the motion. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

Mr. McNeely proposed a second motion only to pursue legislation in the event that all parties, in good faith effort, come to a consensus on language. The Board discussed the motion. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

3. **2020 Regular Session, Proposed legislation impacting LSBEP** – this matter was tabled due to time constraints.

4. **2020-21 Contracts** – The Board reviewed and discussed continuing contracts for the 2020-21 Fiscal Year as follows:

a. The Board reviewed and discussed continuing a contract with Mark P. Vigen, Ph.D. The following Motion and Resolution was offered by Koren Boggs, Ph.D. who moved for its adoption, and seconded by Gregory Gormanous, Ph.D.: 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

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

LPA – Louisiana Psychological Association

LA R.S. – Louisiana Revised Statutes

APA – American Psychological Association

LAPA – Louisiana Administrative Procedures

work under this Chapter; and WHEREAS the Board conducts hearings on complaints, 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 nature of the functions performed by the Board require the continuing services of a COMPLAINTS COORDINATOR who is a licensed psychologist, with experience in forensics, to review complaints and direct the investigation of complaints; and WHEREAS potential conflicts of interest may arise, the Board requires more than one individual to serve in this role; and WHEREAS the Mark P. Vigen, Ph.D. has been found to be qualified for this position and previously contracted with Board to provide these services to the satisfaction of the Board; WHEREAS the hourly rates of pay for the position of Complaints Coordinator shall be: \$100 per hour, payable upon completion of a review of a Request for Investigation, with a preliminary and final recommendation to the Board, such review shall not exceed \$300 per case.

\$100 per hour, payable upon completion of a review/proof of an Administrative Complaint pleading, not to exceed \$100.

\$100 per hour for all meetings, including training and meetings with attorneys, investigator, executive director, board, and preliminary hearings.

Travel and lodging may be reimbursed, if pre-approved/pre-authorized by the Executive Director. However, travel and other allowable expenses shall be reimbursed in accordance with the Division of Administration State General Travel Regulations, within the limits established for State Employees as defined in Division of Administration Policy and Procedure Memorandum No. 49. All out of state travel will be subject to prior approval by the Executive Director of the agency or his/her designee.”

IT THEREFORE RESOLVES by motion of Dr. Gregory Gormanous that the Board contract with Mark P. Vigen, Ph.D. to provide services as Complaints Coordinator III, for a fiscal-year beginning July 1, 2020 and ending June 30, 2021 for an amount not to exceed a maximum of \$5,000.

BE IT FURTHER RESOLVED that the Board authorize Ms. Jaime Monic, Executive Director, to execute such contract for approval through the Office of State Procurement.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

b. The Board reviewed and discussed continuing a contract with Tony McCoy d/b/a Statewide Surveillance & Investigations. The following Motion and Resolution was offered by Gregory Gormanous Ph.D. who moved for its adoption, and seconded by Amy Henke, Psy.D.: 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 conducts hearings on complaints, 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 nature of the functions performed by the Board require the continuing services of a Licensed Private Investigator to fulfill this function; and WHEREAS Statewide Surveillance & Investigations provides the services of Licensed Private Investigators who are uniquely qualified for this position and have previously contracted with Board to provide investigative services to Board to their satisfaction; and WHEREAS the hourly rates shall be \$60 per hour for investigative work; and IT THEREFORE RESOLVES by motion of Dr. Gormanous that the Board contract with Statewide Surveillance & Investigations for an amount not to exceed \$12,000, to provide investigatory services beginning July 1, 2020 and

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

LPA – Louisiana Psychological Association

LA R.S. – Louisiana Revised Statutes

APA – American Psychological Association

LAPA – Louisiana Administrative Procedures

ending June 30, 2021. The contract to commence at the following rates of pay: \$60 per hour for investigative work; Travel and lodging may be reimbursed, if pre-approved/pre-authorized by the Executive Director. However, travel and other allowable expenses shall be reimbursed in accordance with the Division of Administration State General Travel Regulations, within the limits established for State Employees as defined in Division of Administration Policy and Procedure Memorandum No. 49. All out of state travel will be subject to prior approval by the Executive Director or his/her designee.” BE IT FURTHER RESOLVED that the Board authorize Ms. Jaime Monic, Executive Director, to execute such contract for approval through the Office of State Procurement. BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

c. The Board reviewed and discussed continuing a contract with Valerie Dominique. The following Motion and Resolution was offered by Gregory Gormanous, Ph.D. who moved for its adoption, and seconded by Koren Boggs, Ph.D.: 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 is authorized under R.S. 37:2353.G to be “...financially self-sufficient...receive no state funds through appropriation or otherwise and shall not expend any such state funds...” and is further authorized to collect fees under R.S. 37:2354 et al which “...shall be paid into the treasure of the State Board of Examiners of Psychologist and may be expended by the board without appropriation for costs of administration and other expenses, and any surplus at the end of a fiscal year or a biennium may be retained by the board for future expenditures and the board is not required to pay any such surplus into the general fund of the state of Louisiana.”; and WHEREAS the nature of the functions performed by the Board require the services of a Certified Public Accountant to fulfill this function; and WHEREAS Valerie Dominique has been found to be qualified for this position and has previously contracted with Board to provide accounting services to Board to their satisfaction; and IT THEREFORE RESOLVES by motion of Dr. Gregory Gormanous, that the Board contract the services of Valerie Dominique, Certified Public Accountant in an amount not to exceed \$6,000, to furnish general accounting services, including but not limited to: assist with providing information for the annual compilation; prepare monthly financial reports including: General Ledger, Profit and Loss (budget vs. actual) FY to date, Balance Sheet, and a financial status report; prepare all federal, state and local tax reports; and prepare other financial reports/documents for government agencies, as needed, upon request of the Executive Director for the fiscal year beginning July 1, 2020 and ending June 30, 2021. The contract to commence at the following rates of pay: \$60 per hour for accounting services, payable on a monthly basis and upon receipt of an itemized statement of services performed. BE IT FURTHER RESOLVED that the hourly rates shall be \$60 per hour for accounting services, payable on a monthly basis and upon receipt of an itemized statement of services performed; and BE IT FURTHER RESOLVED that the Board authorize Ms. Jaime Monic, Executive Director, to execute such contract for approval through the Office of State Procurement. BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

d. The following Motion and Resolution was offered by Gregory Gormanous, Ph.D. who moved for its adoption, and seconded by Amy Henke, Psy.D.: 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 conducts hearings on complaints, cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life,

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

LPA – Louisiana Psychological Association

LA R.S. – Louisiana Revised Statutes

APA – American Psychological Association

LAPA – Louisiana Administrative Procedures

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 services of an attorney who specializes in administrative law to serve as an administrative law judge or hearing officer in matters adjudicated by the board to fulfill this function and in order to ensure the proper conduct of the proceedings in accordance with the law; and WHEREAS the BOARD currently contracts with the Law Office of Gray Sexton (Attorneys Grey Sexton and Alesia Ardoin) who employs attorneys who are uniquely qualified to fulfill such services and which services have been previously provided so to the satisfaction of the Board. THEREFORE BE IT RESOLVED that the Louisiana State Board of Examiners of Psychologists, pursuant to La. R.S. 42:262, does hereby retain and employ the Law Office of Gray Sexton (Attorneys Grey Sexton and Alesia Ardoin) as special counsel; and BE IT FURTHER RESOLVED that the hourly rates shall be \$225 per hour for services of partners or associates with experience in the practice of law of 10 years or more; \$175 per hour for services of partners or associates with experience in the practice of law of 5 to 10 years; \$150 per hour for services of partners or associates with experience in the practice of law of 3 to 5 years; \$125 per hour for services of partners or associates with experience in the practice of law of less than 3 years; \$60 per hour for paralegal services; \$40 per hour for law clerk services. A total amount not to exceed \$5,000 for Fiscal Year July 1, 2020 through June 30, 2021; and BE IT FURTHER RESOLVED the Board authorizes Ms. Jaime Monic, Executive Director, to request and negotiate the terms of a contract with the AG's office in accordance with the policies, procedures, regulatory and statutory contracting requirements of the state; and BE IT FURTHER RESOLVED that this resolution shall take effect immediately; 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 resolution having been submitted to a vote, passed by unanimous roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

e. Contract Labor – Executive Assistant Duties - The Board discussed and reviewed the resume of Monique Marino to provide limited project directed assignments to assist the executive director. Following discussion, by motion of Dr. Gormanous, the board approved the following resolution: WHEREAS the LSBEP is created under La. R.S. 37:2351 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 is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, an administrative assistant..., or other personnel necessary for the proper performance of work under this Chapter; and WHEREAS the Board is authorized under R.S. 37:2353.G to be “...financially self-sufficient...receive no state funds through appropriation or otherwise and shall not expend any such state funds...” and is further authorized to collect fees under R.S. 37:2354 et al which “...shall be paid into the treasure of the State Board of Examiners of Psychologist and may be expended by the board without appropriation for costs of administration and other expenses, and any surplus at the end of a fiscal year or a biennium may be retained by the board for future expenditures and the board is not required to pay any such surplus into the general fund of the state of Louisiana.”; and WHEREAS the current operations and administrative work load require additional personnel; and WHEREAS Monique Marino has been found to be qualified in organizational and project management suitable for this position; IT THEREFORE RESOLVES by motion of Dr. Gregory Gormanous, that the Board contract the services of Monique Marino for an amount not to exceed \$12,500, to assist the Executive Director with special projects and project management, upon request of the Executive Director for the fiscal year beginning July 1, 2020 and ending June 30, 2021. The contract to commence at the following rates of pay: \$25 per hour, payable on a monthly basis and upon receipt of an itemized invoice containing a statement of services performed.

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

LPA – Louisiana Psychological Association

LA R.S. – Louisiana Revised Statutes

APA – American Psychological Association

LAPA – Louisiana Administrative Procedures

BE IT FURTHER RESOLVED that the Board authorize Ms. Jaime Monic, Executive Director, to execute such contract for approval through the Office of State Procurement.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately; and

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: (0); Abstained: (0); Absent: (0)

f. The Board discussed an amendment to the legal contract for Chehardy, Sherman, Williams, Murray, Recile, Stakelum & Hayes, LLP. Following approval of increased rates at their March 6, 2020 meeting. Ms. Monic reviewed the remaining contract amount and provided information to the board related to funding the contract for the remainder of the Fiscal Year. Following discussion, Dr. Henke moved that the board approve an increase in the contract amount by \$10,000, a total not to exceed \$50,055.97. The Board discussed the motion, the motion passed by unanimous roll-call vote as follows: In favor: (5) Boggs, Gormanous, Henke, Gibson, and Moore; Against: 0; Abstained: (0); Absent: (1) McNeely

4. **Policy and Procedures** – Draft Revisions incorporating Compliance Officer – this matter was tabled due to time constraints.

5. **Review Revise/Application forms** – this matter was tabled due to time constraints.

At 4:00 p.m., Dr. Henke moved to adjourn the meeting. The motion passed by roll call vote as follows: In favor: (6) Boggs, Henke, Gormanous, Gibson, Moore, McNeely; Against: 0; Abstained: 0; Absent: (0)

4:00 p.m. MEETING ADJOURNED

LEGAL NOTICES

La. R.S. 37:23.2 - In compliance with La. R.S. 37:23.2, the LSBEP hereby gives notice to its licensees and applicants of their opportunity to file a complaint about board actions and board procedures. You may submit such complaints to one or more of the following organizations: Louisiana State Board of Examiners of Psychologists: Submit in writing to: LSBEP, 4334 S. Sherwood Forest Boulevard, #C-150, Baton Rouge, LA 70816; admin.lsbep@la.gov; (225)925-6511; Committee on House & Governmental Affairs, La. House of Representatives: Submit to: H&GA@legis.la.gov or Committee on House & Governmental Affairs, La. House of Representatives, PO Box 44486, Baton Rouge, LA 70804; (225) 342-2403; Committee on Senate & Governmental Affairs; La Senate: Submit to: s&g@legis.la.gov or Committee on Senate & Governmental Affairs; La Senate PO Box 94183, Baton Rouge, LA 70804; (225)342-9845

LA R.S. 42:14.D. Public comments** – In accordance with LA R.S. 42:14.D., the LSBEP shall allow public comments at any point in the meeting prior to action on an agenda item upon which a vote is to be taken. Individuals who wish to comment on a matter must sign in and state their intent to comment on a matter.

La. R.S. 44:33.1 - In compliance with La. R.S. 44:33.1, the LSBEP hereby gives notice that information submitted to the LSBEP may become public record pursuant to the provisions of Louisiana Public Records Law, La. R.S. 44:1, et seq.

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

LPA – Louisiana Psychological Association

LA R.S. – Louisiana Revised Statutes

APA – American Psychological Association

LAPA – Louisiana Administrative Procedures