

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Friday, April 30, 2021

Approved June 11, 2021

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed, agenda certified, and signed by LSBEP Chairperson Amy Henke, posted, emailed to individuals and the news media who have requested to receive notices of LSBEP meetings, and widely distributed to every known news media outlet that broadcasts or publishes news within Louisiana through the Louisiana Press Association on April 28, 2021. The notice included information on how to join the meeting virtually via Zoom <https://us02web.zoom.us/j/84112383863?pwd=Y3h6a0R1amFwcmRDNjJRdkIwcmRDdz09>

Meeting ID: 841 1238 3863 **Passcode:** 1mhp8P **One tap mobile:** +13126266799,,84112383863#,,,,,0#,,442710# US (Chicago) +19292056099, 84112383863#,,,,,0#,,442710# US (New York) **Dial by your location**+1 312 626 6799 US (Chicago), +1 929 205 6099 US (New York), +1 301 715 8592 US (Germantown), +1 346 248 7799 US (Houston), +1 669 900 6833 US (San Jose), +1 253 215 8782 US (Tacoma) **Meeting ID:** 841 1238 3863 **Passcode:** 442710 **Find your local number:** <https://us02web.zoom.us/j/84112383863?pwd=Y3h6a0R1amFwcmRDNjJRdkIwcmRDdz09>

Board Chairperson, Dr. Amy Henke, called the video conference meeting to order at 9:03 a.m. on Friday, April 30, 2021.

Attendance:

Board Members Present: Dr. Amy Henke, Dr. Gregory Gormanous, Dr. Gina Gibson, Dr. Michelle Moore, Dr. Shannae Harness.

Board Members Absent: (1) Mr. Darren “Chance” McNeely

Staff Present: Executive Director, Jaime T. Monic and Compliance Officer, Justin Owens.

Guests Present for Open Meeting (partial attendance): Dr. Erin Reuther (LPA), Dr. Richard Nolon (LPA), Dr. Kim VanGeffen (LPA), Dr. Matthew Holcomb (LPA), Dr. Julie Nelson (Psychology Times), Diane Moore, Texas State Board of Examiners of Psychologists. Additionally, Dr. Garet Edwards and Dr. Jeanette Edmonds attended briefly to receive the results of their Oral Examinations and decision of the Board for regarding their licensure.

Dr. Henke read the mission statement as follows, *“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 reminded board members to adhere to LSBEP’s policy for Video Meeting Decorum. Ms. Monic restated Dr. Henke’s certification 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 *La. R.S. 42:17.1.C. (2) and (3) under the continuing declaration of emergency* including Proclamation No. 29 JBE 2021.

COMMONLY USED ACRONYMS/ABBREVIATIONS:

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Posted: X/XX/XXXX

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REVIEW AND APPROVAL OF AGENDA Dr. Gormanous moved to approve the agenda. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

REVIEW AND APPROVAL OF MINUTES:

Dr. Henke moved to table discussion of the minutes until after lunch. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

EXECUTIVE SESSION: Dr. Moore moved to enter Executive Session pursuant to LSA R.S.42:17.A(2) and (4) to conduct supervision and credential file reviews, review complaints, and review jurisprudence examination questions. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

Dr. Moore moved to close Executive Session to enter the Open Meeting to report on and receive motions for Executive Session matters. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

EXECUTIVE SESSION

1. ORAL EXAMINATIONS [LSA-R.S. 42.17.A(1)]:

- a. Craig Anderson, Psy.D.** - appeared for examination via Video Conference before an LSBEP Examining Committee consisting of Drs. Moore and Harness on April 23, 2021. The Board discussed the results of the examination in executive session. Finding that **Dr. Anderson** has met the qualifications for licensure, Dr. Moore moved that **Dr. Anderson** be granted a license to practice psychology. **Dr. Anderson** opted out of declaring a specialty. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely
- b. Jeanette Edmonds, Ph.D.** - appeared for examination via Video Conference before an LSBEP Examining Committee consisting of Drs. Gormanous and Moore on April 22, 2021. The Board discussed the results of the examination in executive session. Finding that **Dr. Edmonds** has met the qualifications for licensure, Dr. Moore moved that **Dr. Edmonds** be granted a license to practice psychology. **Dr. Edmonds** opted out of declaring a specialty. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely
- c. Garet Edwards, Ph.D.** – appeared for examination via Video Conference before an LSBEP Examining Committee consisting of Drs. Moore and Harness on April 23, 2021. The Board discussed the results of the examination in executive session. Finding that **Dr. Edwards** has met the qualifications for licensure, Dr. Harness moved that **Dr. Edwards** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

2. SUPERVISION AND CREDENTIALS REVIEW COMMITTEE File Reviews [LSA-R.S. 42.17.A(1)]:

- a. Shannon S. Sanders, Ph.D. (CL)** – Dr. Moore reviewed the Application for License of **Dr. Sanders**. Finding that **Dr. Sanders'** documentation was complete, Dr. Moore moved that the candidacy status of **Dr. Sanders** be confirmed and that the Board invite **Dr. Sanders** to complete the Oral and Jurisprudence Examination requirements for licensure. The Board discussed the motion, the motion passed by

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unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

- b. **Courtney C. Gunn, Ph.D. (CL)** – Dr. Moore noted the credentials listed for Dr. Gunn on the Agenda needed to be corrected from “Ph.S.” to “Ph.D.” Dr. Moore reviewed the Application for License of **Dr. Gunn**. Finding that **Dr. Gunn**’s documentation was complete, Dr. Moore moved that the candidacy status of **Dr. Gunn** be confirmed and that the Board invite **Dr. Gunn** to complete the Oral and Jurisprudence Examination requirements for licensure. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

3. COMPLAINTS [LSA-R.S.42.17.A(4)]:

- a. **P19-20-09B** - (*Complaint Investigation Committee (Committee) Assigned: Dr. Sasha J. Lambert, Dr. Amy Henke, Mr. Justin Owens and Attorney Courtney Newton*) – Mr. Owens and Dr. Henke presented this case to the Board in Executive Session, and reported that following thorough investigation, review and consideration of all evidence in this matter, the Committee is recommending acceptance of a voluntary relinquishment of Respondent **Deldon McNeely, Ph.D., License No. 43** as an informal resolution to this matter. The Board thoroughly discussed this matter and considered the recommendation of the Committee. Dr. Moore moved to accept the Committee’s recommendation. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely
- b. **P20-21-05B** - (*Complaint Investigation Committee (Committee) Assigned: Dr. Sasha Lambert, Dr. Amy Henke, and Mr. Justin Owens*) – Mr. Owens and Dr. Henke presented this case to the Board in Executive Session, and reported that following thorough investigation, review and consideration of all evidence in this matter, the Committee is recommending acceptance of the Consent Order presented on behalf of Respondent **Lisa L. Tropez-Arceneaux, Psy.D., License No. 1158** as an informal resolution to this matter. The Board thoroughly discussed this matter and considered the recommendation of the Committee. Dr. Moore moved to accept the Committee’s recommendation. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely. Dr. Henke was authorized to sign the Consent Order on behalf of the LSBEP, which order represents formal disciplinary action for violations of LA. R.S. 37:2359.A. and B.(12) as further defined by La. Admin. Code, Title 46, Part LXIII, §1311, §1311.A. and §1311.B.

JURISPRUDENCE EXAMINATION [LSA-R.S.42.17]:

Dr. Moore reported the Board reviewed the final two versions of the Jurisprudence Examination in Executive Session. Dr. Moore moved in favor of adopting the new examination questions and splitting the exam into two versions. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely
The board also discussed options for offering the examination electronically if it can be done in a secure platform. Ms. Monic agreed to explore options.

REVIEW AND APPROVAL OF MINUTES:

The Board reviewed, discussed and amended the draft Minutes of March 26, 2021. Dr. Gormanous moved to approve those minutes as amended. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

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COMMITTEE AND LIAISON REPORTS:

1. Executive Committee Report –

- a. Status Marksbury vs. LSBEP – Ms. Monic gave a status report to the Board in this matter lodged with the Louisiana 1st Circuit Court of Appeals on April 27, 2021. Ms. Monic also noted that while researching information for this update, she noticed the December 11, 2020 minutes did not document the decision of the Board on that date to authorize the Board’s General Counsel to appeal the decision of the 19th Judicial District Court. Dr. Gormanous moved in favor of formally denoting the omission in the December 11, 2020 minutes to reflect this decision of the Board regarding the appeal. The Board discussed the motion. The motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely
- b. Temporary Registration Report - Ms. Monic reported the approval of three Temporary Registration for **Dr. Elizabeth G. Corrin, Alena Binder and Michael Owen Reed.**
- c. Monthly Operations/Updates - Ms. Monic reported the following for the period March 8, 2021 – April 3, 2021:
 - i. 11 New applications were received, 123 Total Open applications
 - ii. 4 Public records requests, 2 remain unfilled
 - iii. March 31st marked the end of the 3rd Quarter of the Fiscal Year so Quarterly reports were due for Cash Management Review Board, OSRAP AR Report, Risk Management, Attorney General Reports (Act 611 and 627), Health and Welfare Oversight Report, and Payroll Reports as well as required monthly reports to LASERS and Property Control. Reports to the Secretary of State will resume once I am able to get original board signatures on licenses.
 - iv. Emails and phone calls are picking up regarding upcoming renewals.
 - v. Meetings/appearances: LPA to discuss and share legislative watchlist, proctored one oral examination, attended ASPPB Conference, ASPPB Board of Directors Meeting, one Complaints Committee Meeting; and one complaint status conference with Compliance Officer Mr. Justin Owens.
 - vi. All receivables, payroll and payments are current.
 - vii. Prior meeting minutes were drafted, all action items have been initiated, website updated, and agenda developed and properly posted.
 - viii. Contracts: two contracts were submitted during this period for Dr. Mark Vigen and Courtney P. Newton. Ms. Newton’s contract is pending approval by the Attorney General’s office.

2. Finance Committee –

- a. Leave Report Approval – Dr. Henke reported the review and approval of Leave Reports for Ms. Monic.
- b. Financial Statements – The Board reviewed financial statements for March 2021 prepared by Valerie Dominique. Ms. Dominique provided a highlighted copy of the Budget vs. Actual Report noting a few income and expense accounts on the Budget for amendment considerations. Ms. Dominique provided a written report for Board consideration as follows:

“We budgeted a Net Loss of -\$100,525, with three months to go we currently have Net Income of \$59,704.33. Total Income is \$330,682.26 which is \$12,755.74 under budget. Total Expense is \$270,977.93 which is 172,985.07 under budget.

We currently have \$223,110 in Cash/Savings. Expenses for the Month of March totaled \$24,025. Assuming Monthly Expenses remain consistent for April-June (\$24,025 x 3) and Monthly Income for April-June is similar to March (\$8,844.72 x3) , we will have enough to cash cover all of our expenses for the current Fiscal Year plus the outstanding balance due to CSW [Chehardy,

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Sherman, Williams, Murray, Recile, Stakelum & Hayes, LLP], . *We will end the year with around \$144,314 in cash. (We ended the Prior year with \$123,400 in cash).*”

Ms. Monic concurred that the board would end the year with cash; however felt the projection was generous given the number of complaints and continuing litigation. Following review of the Budget vs. Actual report, the Board reviewed and discussed all recommendations for budget amendment particularly noting the savings related to lack of travel in 2020, board member’s waiver of Per Diem and expenses, under-utilized contracts due to COVID-19 including delayed complaint investigations, and inability to develop staff as anticipated. Dr. Henke noted the need to add a full-time employee to staff in order to assist Ms. Monic. Ms. Monic also specifically requested to increase the amount budgeted for clerical assistant/student worker in order to utilize Elaine Heltz more during renewal season. Following thorough review and discussion, Dr. Gormanous moved in favor of accepting the financial statements for March 2021 and accepting all budget amendments recommended by Ms. Dominique except the recommendations that would 1) decrease statutorily authorized Board Member Per Diem; 2) decrease employee salaries; and 3) to increase the amount budgeted for clerical/student worker; and further authorize Ms. Monic to facilitate amending the budget. The Board discussed the motion. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely.

3. **Oral Examination Committee** – Dr. Moore reported that Oral Examination Committees convened three times since the last meeting to conduct examinations, which recommendations were discussed in Executive Session today, following a vote in Open Meeting resulting in the issuance of 3 new licenses. One Video Conference Face to Face meeting for Candidate, Dr. Karen Froming was scheduled for today, but was cancelled by the Candidate.
4. **Legislative Oversight Committee** – No report, deferred to discussion.
5. **Supervision/Credentials Committee** – Dr. Henke reported file reviews were conducted in Executive Session today, following a vote in Open Meeting all files were approved.

NOON – 1:00 p.m. **LUNCH BREAK**

6. **Complaints Committee** –
 - a. Mr. Owens reported for the period 3/27/21 – 4/30/21 as follows: one new *Request(s) for Investigation* were received by consumers since the last report; there are a total of 14 open investigations, 12 are active (one from FY17-18; two from FY19-20; eleven from FY 20-21; two are under review and not yet noticed). There are currently no formal hearings scheduled; no disciplinary actions were finalized during this period and there were no applicants denied based on review of criminal history.
 - b. Mr. Owens reported that two (2) cases were reviewed and considered today in Executive Session and summarized that both of matters were closed with informal resolutions being accepted by the Board.
7. **Public and Professional Outreach Committee** – Dr. Henke reported her goal to focus the next LSBEP Newsletter on ASPPB including the EPPP Part 2 and the Diagnostics Presentation. Dr. Henkie encouraged board members to contribute articles for the 3rd Edition. Dr. Gibson agreed to write Part 2 of her Complaint Series.
8. **Liaison to Professional Organizations** – (taken out of order for relevance)
 - a. **Letter to ASPPB from ASPPB Board and College Chairs Committee** – Dr. Henke reported on this matter which letter was in regard to prohibiting candidates from taking the EPPP-2 if they are in Jurisdictions that are not adopting the EPPP-2. Expressing concerns and noting positive impacts of allowing applicants for licensure in those jurisdictions that have not yet adopted the EPPP-2, including: enabling candidates to take EPPP-2 at the time in the professional careers when the

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examination is intended to be administered; removal potential barriers to mobility for licensees in the future; create a larger pool of data with which to assess the reliability and validity of the EPPP-2; encourage jurisdictions to adopt the test as they see the utility and interest in the test increase; and, be consistent with ASPPB's desire to promote mobility and consistent licensing standards across the U.S. and Canada.

- b. Letter to ASPPB re. Presentation to ASPPB (BOD) on April 17, 2021 – Dr. Henke, Dr. Gormanous, Dr. Moore and Ms. Monic reported on their attendance at this meeting and follow up letter regarding the concerns presented to ASPPB related to concerns with mission drift, transparency, the EPPP-2, and PsyPACT. All agreed that ASPPB's members were gracious in receiving LSBEP's comments and reported a positive meeting, particularly being a part of the ASPPB Liaison status reports from associations and universities. Dr. Gormanous indicated his desire to continue to stay active in ASPPB, noting the deadline for responding to their call for award nominations. Previous considerations for ASPPB Nominations, including Ms. Monic's proposal to nominate Dr. Gormanous for the Norma P. Simon Award or Dr. Gormanous' proposal to nominate Dr. Henke for ASPPB Member at Large were discussed. Dr. Henke declined noting current time limitations. Dr. Henke and Ms. Monic agreed to draft and submit the nomination for Dr. Gormanous. Dr. Moore also discussed her self-nomination to ESTAG which is the item review committee for the EPPP/EPPP-2, although she was not selected she was encouraged to self-nominate for other roles related to exam development like exam review or item writing. Dr. Moore said she was interested and would look into these options.
 - c. ASPPB's Midyear Meeting –
 - i. Dr. Gormanous noted that this was incorrectly listed on the agenda and was not part of the ASPPB update. Instead, the North Carolina State Board of Dental Examiners v. FTC (Then and Now) was a presentation by Clifford O. Feingold, DDS, hosted by CERTEMY, that Dr. Gormanous attended. Dr. Gormanous summarized the presentation.
 - ii. Dr. Henke summarized the Diagnostic presentation to member jurisdictions by Brendan Tapley, MFA.
 - d. LPA Member's Meeting – May 6, 2021 – Dr. Henke reported that LPA Membership had called a meeting to discuss HB-477 by Representative Stagni related to the LSBEP. Board members who are also LPA Members were informed by informal guidance from the Louisiana Ethics Board that their attendance would be appropriate given that the proposed legislation does not positively financially impact any board member.
 - e. Guidance related to Board Member participation in professional associations – Ms. Monic reported on informal guidance received from Mr. Charles Reed of the Louisiana State Board of Ethics related to Board Member participation in meetings and votes in professional associations. Specifically, could Board Members who were also members of an association attend an association meeting and vote on a matter that involved legislation that would impact the board financially? Mr. Reed responded that this would not be prohibited and explained that board members have a constitutional right to free speech and could participate in a vote of this nature. No one can prohibit an individual's free speech. However, a board member could not lobby for legislation. He noted that a vote to support legislation that would impact the board financially is also distinctive from a vote to support legislation that would line your own pockets. Which is another level of consideration. For example, you couldn't vote to increase your own per diem from \$75 per day to \$75 per hour. He clarified that this was informal guidance and did not represent a formal advisory opinion that could be sought in writing.
9. Long Range Planning Committee – Workgroup updates were received as follows:
- a. Registration of unlicensed assistants - LAC:46:LXII. Chapter 11 - no report

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- b. Continuing education requirements - LAC:46:LXII. Chapter 8 – Dr. Henke and Dr. Moore discussed that the committee had not met since the last meeting; however Dr. Henke continued to communicate with prospective presenter, Antonio E. Puente, Ph.D. The Board discussed goals for the first presentation to occur in May or June 2021.
 - c. Complaint Adjudication process - LAC:46:LXII. Chapter 15 – Ms. Monic reported that she, Mr. Owens and Dr. Joseph Comaty had met and made progress on the Matrix for determining potential disciplinary actions in order to create parameters for Board approval which will lead to better consistency when determining a course of action for an investigation/adjudication and policies. The next-steps is for Ms. Monic to review and compile draft regulations prior to the Committee’s next meeting. Ms. Monic’s goal is to finalize this in either July or August 2021.
10. **Jurisprudence Examination Committee** – Dr. Gibson reported the Board discussed the new examination items in Executive Session today. Following Executive Session, the Board voted to adopt two new versions of the Jurisprudence Examination.

DISCUSSION/ACTION ITEMS

1. **Request to review standard language for disciplinary orders -** Dr. Gormanous discussed the need to review language utilized in consent orders/IPPA’s or other agreements for standardization. Ms. Monic agreed to facilitate this and incorporate the review into Complaint Adjudication workgroup for recommendations.
2. **Report on possibility of pro bono services by licensed I-O psychologist(s) to conduct an organizational analysis for LSBEP** – Dr. Gormanous reported that he received a phone call that was exploratory in nature about the possibility of pro bono I/O services by licensed psychologists to enhance board functioning and that an offer may be forthcoming in the future. Dr. Gormanous provided the following statement for the record: *“I do want to make it clear that this is totally separated and divorced from any consideration of what’s going on with HB 477. Recognizing upcoming intense work surges requiring limited staff resources(renewals, legislative audit), the psychologist who contacted me was told that an initiative like this could not begin until late August/ September. If an offer officially comes forward next year or whenever, I want it on the record for transparency purposes b/c I do think it might be beneficial to see how we could be more effective and efficient. Many times it's better to have fresh eyes from outside take a deep look at how we do things ... specialists in organizational analysis and development taking a look at what we do. Not unlike contracting with Certemy in terms of processing applications with respect to efficient internal functioning. If we do pursue something like this it would have to be pro bono & privileged. It might also be beneficial to have out-of-state I-O's who are informed about licensure participating. Again it would have to be pro bono & privileged.”* No further discussion was had on this topic.
3. **Consideration of a reduction in fees for medical psychologists** – Dr. Gormanous proposed consideration of reducing fees for medical psychologists who retain their license with the LSBEP in order to retain psychologists who continue their education and are licensed with the Board of Medical Examiners for prescriptive privileges. The Board discussed this matter noting the current financial difficulties the Board is experiencing and that concerns that others dually licensed would want similar privileges. Dr. Gormanous pointed out that medical psychologists are different from other professionals in that they are required to come through our Board for vetting as a Psychologist prior to becoming a Medical Psychologist. No further discussion was had on this topic.
4. **Review and discuss adopting guidelines for using social media** – The Board reviewed the Texas State Board of Examiners of Psychologists new adopted guidelines for use of social media. They discussed the potential of

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adopting such guidelines however conceded to defer to the ethical standards that apply in such situations. No further discussion was had on this topic.

5. **Review and discuss adopting APA Multicultural Guidelines and inclusion on Jurisprudence Examination** – The Board discussed APA’s Multicultural Guidelines. Dr. Henke moved in favor of adopting these guidelines, posting them on the website and amending the Jurisprudence Examination to include questions related to these guidelines in order to raise awareness of their existence and applicability. The Board discussed this motion. Gormanous suggested looking at additional APA Guidelines such as the Guidelines on Race and Ethnicity. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely.
6. **Nominees for Human Trafficking Commission Advisory Board - Raphael Salcedo, Ph.D.** The Board reviewed the self-nomination of Dr. Raphael Salcedo for consideration for nomination to the Governor’s Human Trafficking Commission Advisory Board. Dr. Henke moved in favor of re-nominating Dr. Salcedo to this Board. The Board discussed this motion. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely.
7. **Invitation from the California Board of Psychologists to provide input on non-participating jurisdiction’s decision not to participate in ASPPB’s PsyPACT** – Ms. Monic presented the Board with an invitation to participate in the California Board of Examiners of Psychologists, mobility committee meeting on Friday May 7, 2021 which focus is to revisit PsyPACT. The Board discussed this invitation and affirmed Ms. Monic’s attendance and authority to communicate the previously discussed position of the LSBEP related to PsyPACT.
8. **Next meeting dates and location** – The Board discussed next meeting dates and whether or not to meet in person. Although no formal motion was offered, there was a general consensus that the May meeting date should continue to be offered virtually and that the Board would continue to discuss meeting platforms as individuals continue to be vaccinated, and in accordance with the Governor’s orders, proclamations, and/or guidelines.
9. **2021 Contract Review** – The Board reviewed and discussed contracts. Ms. Monic presented the following contracts that would continue and not need to be renewed at this time as follows:
 - a. Roedel Parson Koch Blanche - \$12,000 through 7/31/2022
 - b. Office of the Attorney General - \$5,000 through 6/30/2022
 - c. Taylor, Porter, Brooks & Phillips - \$45,000 through 6/30/2022
 - d. CERTEMY - \$27,750.00 through 8/31/2025

Ms. Monic presented the following contracts that would expire and are not budgeted to renew:

- a. Law Office of Gray Sexton – Expiring on June 30, 2021, not budgeted to renew
- b. Monique Marino - Expiring on June 30, 2021, not budgeted to renew, underutilized contract

Ms. Monic presented the following contracts that will expire and are subject to renew:

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

I, Gregory Gormanous, move for the adoption of the following resolution:

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards
LAC – Louisiana Administrative Code
LAPA – Louisiana Administrative Procedures Act
EPPP - Examination for Professional Practice in Psychology

LPA – Louisiana Psychological Association APA – American Psychological Association
LA R.S. – Louisiana Revised Statutes FY/FYE-Fiscal Year/Fiscal Year End
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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 COMPLAINTS COORDINATOR II 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;

THEREFORE, BE IT RESOLVED THAT that the Board contract with Mark P. Vigen, Ph.D. to provide services as Complaints Coordinator II, for a fiscal-year beginning July 1, 2021 and ending June 30, 2022 for an amount not to exceed a maximum of \$5,000.

The contract to commence at the following rates of pay: \$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.”

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.

Seconded: Amy Henke

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

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 Dr. Amy Henke who moved for its adoption, and seconded by Gregory Gormanous:

I, Amy Henke, move for the adoption of the following resolution:

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

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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

THEREFORE, BE IT RESOLVED that the Board contract with Statewide Surveillance & Investigations for an amount not to exceed \$12,000, to provide investigatory services beginning July 1, 2021 and ending June 30, 2022. 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.

SECONDED: Gregory Gormanous

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

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The Board reviewed and discussed continuing a contract with **Valerie Dominique**. The following Motion and Resolution was offered by Dr. Amy Henke who moved for its adoption, and seconded by Gregory Gormanous:

I, Amy Henke, move for the adoption of the following resolution:

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.

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THEREFORE BE IT RESOLVED 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, 2021 and ending June 30, 2022. 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 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.

SECONDED: Gregory Gormanous

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

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The Board reviewed and discussed continuing a contract with Chehardy, Sherman, Williams, Murray, Recile, Stakelum & Hayes, LLP – Expiring on 6/30/2021. The Board discussed the fact that this contract was not budgeted to renew due to intent to hire in-house attorney. However, staff has not been able to find a suitable candidate to fill a permanent position for the salary currently offered. The Board discussed staff structure and an ongoing contractual relationship. Ms. Newton has offered to negotiate her current rate down from \$225 to \$200. Ms. Monic provided data for a 12 month period that documented 510 hours actually worked and 412.2 hours billed. At her current rate, this would amount to \$92,745 annually. The board discussed this information thoroughly and the following motion was offered by Dr. Amy Henke and seconded by Dr. Gregory Gormanous:

I, Amy Henke, move for the adoption of the following resolution:

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 an attorney who specializes in prosecuting cases under administrative law fulfill this function; and

*WHEREAS Courtney P. Newton, Esq. has previously contracted with the Board to their satisfaction, has been found to be qualified for this position, and is currently employed with **Chehardy, Sherman, Williams, Murray, Recile, Stakelum & Hayes, LLP.** who is currently contracted with Board to provide legal services;*

WHEREAS the hourly rates shall not exceed the rates approved by the State of Louisiana, Office of the Attorney General.

*THEREFORE, BE IT RESOLVED that the Board contract with **Chehardy, Sherman, Williams, Murray, Recile, Stakelum & Hayes, LLP.** to utilize the services of Courtney P. Newton to provide legal services including, but not limited to, prosecutorial functions, for a multi-year contract beginning July 1, 2021 and ending June 30, 2024. The*

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contract to commence at the rate of \$190 per hour plus travel and expenses that are preapproved in accordance with Policy and Procedure Memo 50, and not to exceed a maximum of \$180,000 for that period.

BE IF 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 and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval.

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

SECONDED: Gregory Gormanous

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

10. **2021 Regular Legislative Session** - Ms. Monic presented her watch list of bills potentially impacting the Board and also HB 477 by Representative Joseph Stagni. Particular interest was noted on the proposed legislation that involved non-compete agreements in healthcare settings. Ms. Monic discussed in more detail HB 398 by Representative Butler which would create an optional route for agency oversight of rulemaking and disciplinary actions involving anti-trust issues.

At 4:31 p.m., all business having concluded, Dr. Moore moved to adjourn the meeting. In favor:(6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

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.

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