

**Louisiana State Board of Examiners of Psychologists**  
**BOARD MEETING MINUTES**  
**Friday, May 21, 2021**

Final 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 May 19, 2021. The notice included information on how to join the meeting virtually via Zoom <https://us02web.zoom.us/j/84112383863?pwd=Y3h6a0RlYmFwcmRDNjRdkIwcmRDdz09>

**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=Y3h6a0RlYmFwcmRDNjRdkIwcmRDdz09>

Board Chairperson, Dr. Amy Henke, called the video conference meeting to order at 9:08 a.m. on Friday, May 21, 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. Richard Niolon (LPA), Dr. Kim VanGeffen (LPA), Dr. Joseph Comaty (LAMP and LSBEP LRP Complaints Workgroup Member). Additionally, Dr. Jessica Picone, Dr. Shannon Sanders and Dr. Courtney Gunn 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.*

**REVIEW AND APPROVAL OF AGENDA** Dr. Gormanous moved to amend the agenda to include a Discussion Item to Review Draft Letter to the LA Board of Ethics regarding post-employment service and exemptions. The

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Board discussed this 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. Gormanous moved approve the agenda 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

### **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. Gormanous moved to enter Executive Session pursuant to LSA R.S.42:17.A(2) and (4) to conduct oral examinations and conduct supervision and credential file reviews. 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. Shannon S. Sanders, Ph.D.** - appeared for examination via Video Conference before an LSBEP Examining Committee consisting of Drs. Moore and Harness on this date, May 21, 2021. The Board discussed the results of the examination in executive session. Finding that **Dr. Sanders** has met the qualifications for licensure, Dr. Harness moved that **Dr. Sanders** 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: (5) Henke, Gormanous, Moore, Harness; Against: (0); Abstained: (0); Absent: (2) McNeely and Gibson
- b. Courtney C. Gunn, Ph.D.** - appeared for examination via Video Conference before an LSBEP Examining Committee consisting of Drs. Moore and Harness on May 13, 2021. The Board discussed the results of the examination in executive session. Finding that **Dr. Gunn** has met the qualifications for licensure, Dr. Gormanous moved that **Dr. Gunn** be granted a license to practice psychology with a declared specialty in Counseling 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
- c. Jessica H. Picone, Ph.D.** – appeared for examination via Video Conference before an LSBEP Examining Committee consisting of Drs. Moore and Harness on May 17, 2021. The Board discussed the results of the examination in executive session. Finding that **Dr. Picone** has met the qualifications for licensure, Dr. Gibson moved that **Dr. Picone** 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

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2. **SUPERVISION AND CREDENTIALS REVIEW COMMITTEE File Reviews [LSA-R.S. 42.17.A(1)]:**
- a. **Nathalie A. Cahill, Ph.D. (CL)** – Dr. Moore reported a status review and request by Dr. Cahill for extension of her Provisional License. Dr. Moore recommended Ms. Monic inform Dr. Cahill there was no mechanism for extension of a Provisional License that the license would be required to be renewed in order to maintain the Provisional License. The Board discussed and affirmed the recommendation.

**COMMITTEE AND LIAISON REPORTS:**

1. **Executive Committee Report** – Ms. Monic reported on the following:
- a. **Legislative Performance Audit** – The Legislative Auditor has begun performance audits of the mental health boards. Ms. Monic was informed that following the LPC Board of Examiners, LSBEP will be subject to audit in late August 2021.
- b. The matter **Richard Marksbury vs. LSBEP** is currently being litigated in the La. 1<sup>st</sup> Circuit. LSBEP has requested dismissal.
- c. **Temporary Registration Report** - Ms. Monic reported the approval of one Temporary Registration for **Rickey L. Williamson, Ph.D.**
- d. **Monthly Operations/Updates** - Ms. Monic reported the following for the period– April 3, 2021-May 20, 2021:
- i. 7 New applications were received, 130 Total Open applications
- e. 2 outstanding public records requests were filled, one taking approximately 16 hours to compile, review and redact.
- f. Renewal and Continuing Professional Development forms have been updated and posted to the Website. Emails and phone calls are picking up regarding upcoming renewals.
- g. Meetings/appearances:

- i. Ms. Monic reported that on May 7, 2021 she attended the California Board of Examiners of Psychologists, Tele Telepsychology Committee Meeting with Dr. Gormanous. This committee is responsible for developing regulatory language for the practice that is conducted remotely in California. LSBEP was invited to attend as a jurisdiction that has not yet adopted the PSYPact and provide reasons for the decision not to adopt.

Dr. Gormanous also reported that the meeting was virtual and not conducted in a manner that LSBEP attendees would necessarily be called upon. Dr. Gormanous sought clarification during a break during the meeting and confirmed that they indeed wanted LSBEP’s comments and participation. Dr. Gormanous reported that he did provide comments related to Anti-trust and the requirement to limit PSYPact eligibility to those individuals who, *subsequent* to state adoption, obtain an Interjurisdictional Practice Certificate (IPC) and/or Epassport through ASPPB which essentially disenfranchises some licensees, including but not limited to Industrial/Organizational Psychologists.

Ms. Monic reported that she did not provide comment because she did not have anything additional to add to the concerns brought up by members of the California Committee or other public participants, and in fact gained additional knowledge on the structure of the PSYPact Commission. Some of the issues raised included:

1. Concerns for constitutionality of ASPPB’s PSYPact (brought up by California’s Attorney) where PSYPact becomes a quasi-governmental public agency authorized to issue licenses to practice, without governmental oversight and with authority to regulate practice in an adopting jurisdiction, including authority over the state licensing board (place mandates on state agencies, assess fees on agency, and require an agency to conduct investigations on licensees complained of that reside in other jurisdictions). *Ms. Monic educated the Board that Louisiana actually has an Attorney General Opinion and Jurisprudence (Schwegmann Bros. Giant Super Markets v.*

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*McCrary) related to delegation of government authority to non-governmental/private entities. ASPPB issued a “Legal Opinion “on January 13, 2021; however this opinion does not cite any jurisprudence to support legal or constitutional authority to engage in the PSYPact.*

2. California, like Louisiana, already has a means for Temporary Registration, without additional requirements for an IPC or Epassport, and would lose revenue that is essential for board sustainability.
3. California, like Louisiana, requested that ASPPB consider requiring participants to fund the PSYPact and offer revenue sharing since it will be the adopting jurisdictions responsibility to regulate a substantially increased number of licensees practicing in their jurisdiction.
4. Other information learned was that ASPPB developed the PSYPact agreement which becomes a quasi-governmental agency in a state once legislation is passed in an adopting state. It is governed by the Psychology Interjurisdictional Compact Commission (PSYPact), and ASPPB holds a non-voting seat on the PSYPact Governance Commission. The PSYPact Governance Commission requires funding from jurisdictions who are supported by license renewal fees, and also requires licensees to pay to participate in PSYPact; then requires jurisdictions to bear the financial and legal burden of disciplining licensees from their jurisdiction and the participating jurisdiction.

Following presentation on the PSYPact by Ms. Janet Orwig at ASPPB, and considering public comments, the California Tele Telepsychology Committee voted to recommend that the California Board of Examiners of Psychologists not adopt PSYPact.

- h. Researched options for Learning Management Systems to conduct virtual CPD and electronic Jurisprudence examinations. Has a meeting with Canvas on Monday 5/24/21, which platform seems to be best suited for live and archived learning experiences, online examinations and ecommerce. Moodle was expensive and geared toward classroom.
- i. Contracts: Chehardy, Sherman, Williams, Murray contract is pending approval by the Attorney General’s office.
- j. I’m filling the role of compliance officer on one matter that Mr. Owens is recused from.
- k. Prior meeting minutes were drafted, all action items have been initiated, website updated, and agenda developed and properly posted.
- l. CERTEMY development - Reported on confidentiality disclosures that appear to circumvent LSBEP’s confidentiality agreement with CERTEMY when a licensee signs up as a user of CERTEMY, additional clarification on terms and intent are needed. Development is slow due to daily administrative obligations.

## 2. **Finance Committee** –

- a. **Leave Report Approval** – Dr. Henke reported the review and approval of Leave Reports for Ms. Monic.
- b. **Financial Statements** – Ms. Monic reported that Valerie Dominique was still working on April Financial Statements and that she and Ms. Dominique will have a Budget Meeting to discussed previously approved amendments next Monday, May 24, 2021. A draft will be provided at the next regularly scheduled meeting.

## 3. **Oral Examination Committee** – Dr. Moore reported that Oral Examination Committees convened two times since the last meeting to conduct examinations, and also conducted one oral examination in Executive Session

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today (May 21, 2021) which recommendations were discussed in Executive Session and followed by a vote in Open Meeting resulting in the issuance of 3 new licenses. Dr. Moore also recommended an amendment to the Declaration of Competencies form to compel candidates to provide more specific and thoughtful information related to competencies and limitations. Dr. Niolon, Dr. Picone and Dr. Comaty provided comments affirming the importance of, and ethical considerations of, recognizing limitations in training, experience and even during times or illness.

4. **Legislative Oversight Committee** – Dr. Gormanous reported HB 477 passed the Senate Health and Welfare committee following testimony from the Sponsor, Representative Joseph Stagni, Erin Reuther, LPA President and Ms. Monic. Dr. Gormanous commented that there seemed to be questions regarding lack of scope language for the definition of Assistant to a Psychologist, and a misconception that this would be a new license rather than an extension of the Psychologists license.

Dr. Moore moved to adjourn for lunch at Noon. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely.

Dr. Henke called the meeting to order at 1:00 p.m.

5. **Supervision/Credentials Committee** – Dr. Henke reported one file reviews conducted in Executive Session today. Dr. Moore requested that an agenda item be docketed for June to review the requirement for supervisors to be licensed for 1 year before engaging in supervision, noting that current APA Training programs include training in providing supervision. The board affirmed this request without objection.
6. **Complaints Committee** –
  - a. Mr. Owens reported for the period 5/1/21-5/21/21 as follows: Zero new *Request(s) for Investigation* were received by consumers since the last report; there are a total of 12 open investigations, 10 are active (one from FY17-18; one from FY19-20; eight 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. No recommendations regarding complaints were offered at this meeting.
7. **Jurisprudence Examination Committee** –
  - a. Dr. Gibson reported the Committee found a few discrepancies in the examination and it was not implemented. The examination continues to be reviewed by the Committee and a final draft will be sent to Ms. Monic on completion.
  - b. Ms. Monic reported that she continues to explore affordable and secure platforms to provide an electronic version of the examination.
8. **Public and Professional Outreach Committee** – Dr. Henke reported her goal was to write one last newsletter to focus the next LSBEP Newsletter on ASPPB including the EPPP Part 2 and the Diagnostics Presentation; and Ms. Monic in the Meet the Board feature. Dr. Henke encouraged board members to contribute articles for the 3<sup>rd</sup> Edition. Dr. Gibson agreed to write Part 2 of her Complaint Series.
9. **Liaison to Professional Organizations** – (taken out of order for relevance)
  - a. **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. She reported her attendance at the meeting and that a motion to support HB477 was put to a vote of the members present and passed by 70%.

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- b. APA Updates to Standards of Accreditation for Health Service Psychology (SoA) and opportunity for public comment – Ms. Monic reported that APA had noticed changes to *Standards of Accreditation for Health Service Psychology* and that there was an opportunity for individual public comment or comment from the Board should they wish to do so.
  - c. ASPPB Updates
    - i. ASPPB Midyear Meeting Summary of Sessions – Dr. Gormanous reported that ASPPB sent an email with a summary of the Midyear meeting.
    - ii. ASPPB’s Centre for Data and Analysis on Psychology Licensure (the Centre) website ([www.asppbcentre.org](http://www.asppbcentre.org)) – Dr. Moore reported that ASPPB had launched a new website that was very impressive. Dr. Gormanous recommended Board members review it for accuracy pertaining to Louisiana’s requirements and to provide input on any inaccurate information. Dr. Gormanous noted discrepancies on supervision requirements for Louisiana, prescription authority states being incorrect (Iowa and Illinois are missing); and a recommendation to provide feedback on providing a category for how Boards are funded.
    - iii. ASPPB’s BOD Consideration of the Board Chair’s Committee recommendations to the BOD regarding the EPPP2. Opportunity to participate in survey monkey related to proposed recommendations. – The Board reviewed, completed, and submitted this survey together during this meeting, reiterating the previously relayed recommendations to the BOD regarding the EPPP2 voiced by the ASPPB Board Chair’s Committee.
10. **Long Range Planning Committee** – no workgroup updates were received for Registration of unlicensed assistants - LAC:46:LXII. Chapter 11; Continuing education requirements - LAC:46:LXII. Chapter 8; Complaint Adjudication process - LAC:46:LXII. Chapter 15.

## **DISCUSSION/ACTION ITEMS**

1. **University of New Orleans, Applied Developmental Psychology training program** - The Board discussed the UNO Training Program for Developmental Psychologists, which is a non-healthcare track. Concerns were presented related to recently received inquiries from current students seeking clinical practicum and the information regarding the training program on the UNO website. The Board discussed previous meeting with UNO representatives, including one in March 2019 where these same concerns were brought up. Following discussion, Dr. Gormanous moved that the board initiate all of the following actions 1. an Opinion related to licensing tracks for applied healthcare specialties vs. applied non-healthcare specialties for publication on the LSBEP’s website; 2. That the Board send the Opinion to the Dean of the University, the Program Director/Graduate Coordinator; and 3. That the Board send a letter to the American Psychological Association and Southern Association of Colleges and Schools with copies of relevant statutes. 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.
2. **LSBEP Employee Structure** – The Board discussed the current workload of staff, including the inability to staff an attorney at the budgeted amount. Dr. Henke suggested changing directions from seeking an in-house attorney to seeking an administrative position under the supervision of Ms. Monic. The board discussed some particulars of the individual needing to be technology savvy, potentially part-time and exploring the option of requesting that Civil Service change the new unclassified position created for an in-house attorney to an additional administrative unclassified position. 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.

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3. **Public Records Request procedure/form** – Ms. Monic recommended the Board implement a public records request form to be required for public records requests, in order to inform the public and formalize a procedure for requests. Dr. Moore moved in favor of the form. 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. Ms. Monic agreed to finalize the form for review at a future meeting.
4. **2021 Regular Legislative Session** - Ms. Monic presented HCR 94 which would direct healthcare boards to evaluate potential models for an independent scope of practice review program.

**Next meeting dates and location** – The Board discussed next meeting dates and whether or not to meet in person. Dr. Henke reported that with the state opening, it was becoming harder to justify continuing to meet virtually in light of the Governor’s latest proclamations (93-JBE2021 and 94-JBE2021). Dr. Henke affirmed that she would call an in-person meeting on June 11, 2021. The Board discussed a hybrid meeting for those still falling in the high-risk category and other mitigating measures that could be taken for in person attendance, including limiting board room capacity and continuing to live stream the meeting via Zoom Meeting to allow for public attendance, comment and participation when invited. Additional Meeting dates were also affirmed including Friday, July 23, 2021; Friday, August 27, 2021; and Thursday, September 23, 2021

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](mailto:admin.lsbep@la.gov); (225)925-6511; Committee on House & Governmental Affairs, La. House of Representatives: Submit to: [H&GA@legis.la.gov](mailto: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](mailto: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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