

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Friday, August 21, 2020

Final Approved: October 9, 2020

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed and agenda certified, 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, Wednesday, August 19, 2020. Board Chair, Dr. Amy Henke, called the meeting to order at 9:04 a.m. on Friday, August 21, 2020 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, LA 70816.

Attendance:

Board Members Present: Dr. Amy Henke, Dr. Gregory Gormanous, Dr. Michelle Moore, Dr. Gina Gibson, Mr. Darren “Chance” McNeely, Dr. Shannae Harness

Staff Present: Executive Director, Jaime T. Monic; Compliance Office, Justin Owens; Complaints Coordinator, Dr. Sasha Lambert; CPA, Valerie Dominique

Board Members Absent: 0

Guests Present: LPA Representatives: Dr. Kim VanGeffen and Dr. Richard Nilon, Dr. Franziska NoackLeSage

Dr. Henke 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 reviewed the current LSBEP 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. 37:42:17.1 of the Open Meetings Laws

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

Posted: November 6, 2020

Page 1 of 8

REVIEW AND APPROVAL OF MINUTES: The Board discussed the draft Minutes of June 5, 2020. Dr. Moore moved to approve the minutes of June 5, 2020 as discussed and amended. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0).

Dr. Moore moved to table review and approval of the July 17, 2020 minutes and take the agenda out of order to consider the recommendations of the Oral Examination Committee, Dr. Gormanous seconded the motion, the motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

COMMITTEE AND LIAISON REPORTS

The Board received Committee and Liaison reports as follows:

3. (considered out of order*) Oral Examination Committee – **Franziska NoackLeSage, Ph.D.** – appeared for examination via Video Conference on August 14, 2020 at 4:00 p.m. before an LSBEP Examining Committee consisting of Dr. Greg Gormanous, Michelle Moore., Gina Gibson, and Amy Henke (Dr. Harness and Mr. McNeely were also present for training and to observe the process). **Dr. NoackLeSage** also appeared this date to hear the final recommendation. Finding that **Dr. NoackLeSage** has met the qualifications for licensure, Dr. Henke moved that **Dr. NoackLeSage** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

1. Executive Director Report –

- a. Ms. Monic reported that the Executive Committee has continued its Weekly Wednesday Update series.
- b. Ms. Monic provided the following report on 2020 Renewals:
The Louisiana State Board of Examiners of Psychologists operates on a Fiscal Year from July 1 to June 30. LSBEP received 68 Applications in 2019 (60 for Licensed Psychologists 8 for LSSP) In 2019, this agency issued 36 licenses to qualified applicants for independent practice (32 LP’S and 4 LSSP’s). Of those, 1 individual was positive for a criminal history, and that individual was not denied. There were 0 applicants denied licensure for the Calendar Year 2019 or FY 2019-20. There are currently 109 records classified as “Applicants”.

*OPEN RENEWALS on July 1, 2020
774 Active Licensed Psychologist
18 Provisionally Licensed Psychologist
29 Licensed Specialists in School Psychology*

*CLOSING RENEWALS: as of July 31, 2020
733 Active Licensed Psychologists
56 Renewing at ½ fee (\$9,800)
677 Renewing at full fee (\$236,950)*

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

12 Provisionally Licensed Psychologist (\$1,200)

25 Licensed Specialists in School Psychology (\$2,500)

Total Renewal Fees \$250,450. It is anticipated some individuals will reinstate their license at the time they received notice of lapsed license. Governor Edwards COVID-19 Executive Order prohibits penalties for failure to renew after making efforts in good faith; due to issues related to COVID-19.

- c. Ms. Monic updated the Board on the status of the CERTEMY contract, payment structure, including issues with using the Board's current credit card payment processor. Ms. Monic informed the LSBEP that the three options for integrated processors would increase credit card processing fees for the LSBEP to 2.9% plus \$.30/transaction. The Board discussed this matter and reaffirmed their accepting the proposal submitted from CERTEMY to enter into a 5-year agreement with CERTEMY and to allocate funds in the amount of \$5,000/year for up to 800 users (or alternately \$6.25/user) including facilitating an agreement with a company that can be integrated with CERTEMY's software. Dr. Gormanous further affirmed his motion that Ms. Monic be delegated the authority to review, negotiate and approve the terms of the agreement with the authorized amount and submit the agreement for approval through the Office of State Procurement, Contracts. The board discussed and affirmed this decision.
2. Finance Committee - Ms. Monic reported she had not received Financial Reports for June 2020. Dr. Henke reported she had reviewed reconciliation reports for the checking and savings accounts for the Board. Ms. Monic Reported she reviewed and approved Leave Reports for Mr. Owens.
 3. Item 3 taken out of order*.
 4. Legislative Oversight Committee – Update on AdHoc Legislative Collaborative Committee (ALCC) - Mr. McNeely reported that the committee met on August 7, 2020. Attorney Courtney Newton also attended this meeting. Mr. McNeely noted that although including the board's attorney in this meeting was extremely helpful, it was an expense for the Board. Mr. McNeely also reported there would be a Special Session however it would be limited to bills pertaining to COVID-19.
 5. Supervision/Credentials Committee - Dr. Henke reported the following file reviews and approvals:
 - a. Approved for Invitation to the Oral Examination:
 - i. **Sunni Primeaux, Ph.D. (CL)**
 - ii. **Russell S. Anderson, Ph.D. (CO)**
 - iii. **Danielle Cohn, Ph.D. (CL)**
 - iv. **Sean Lajaunie, Ph.D. (CO)**
 - b. Approved for Provisional License and early admission to the EPPP:
 - i. **Jessica Grande, Ph.D. (DV)**
 - c. Dr. Henke reported that the files of Drs. Sonya Baer-Harsha, Nicholas Tworek and Danielle Cohn were reviewed, however the files were not complete for final recommendation. The Board considered the recommendations and by motion of Dr. Gormanous, affirmed Dr. Henke's recommendations as reported.

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

6. Complaints Committee -

a. Complaint Status Report - Mr. Owens presented the **COMPLIANCE REPORT 07/18/20 – 08/20/20**

- Total number of Requests for Investigations received since last meeting: **1**
- Total number of Board-initiated investigations since last meeting: **2**
- Total number of Open investigations: **17**
 - **16** are Formal Complaints
 - **1** from FY16-17
 - **2** from FY17-18
 - **2** from FY18-19
 - **8** from FY19-20
 - **3** from FY 20-21
 - **1** are Under review/Respondent not yet noticed
- Total number of cases to be reviewed by the Board at the August meeting: **2**
- Formal hearings scheduled: **1**
- Disciplinary Actions: **0**
- Applications w/ Arrest Info: **0**

b. Dr. Henke reported the Notice of Hearing in the Matter of Eric Cerwonka, Psy.D., License No. 1020 LSBEP Complaint Number: P16-17-14C (Consolidated with P17-18-11C). Docketed on Thursday, September 24, 2020 beginning at 10:00 a.m.. Dr. Henke also reported that due to COVID-19 and building limitations, only individuals directly involved with the hearing would be able to attend in-person. However, the hearing would be live streamed to the public as required under the Open Meetings Laws.

DISCUSSION/ACTION ITEMS

1. **COVID19: Updates, Temporary Registrations, Tele-supervision Applications and any other matters related to LSBEP's response to the COVID 19 emergency.**

The board discussed the continuation of Weekly Wednesday Updates and agreed they should continue for now. Ms. Monic reported that a large majority of individuals took advantage of the opportunity to convert their ETR to a regular Temporary Registration and continue practice in Louisiana through the end of the year.

2. **LSBEP Newsletter**

Dr. Henke encouraged Board Members to get involved with the next newsletter and volunteer to write an article. Dr. Moore volunteered to do a Q&A. Dr. Gormanous and Dr. Gibson also volunteered to write an article. Dr. Henke informed the Board that she would be doing an article related to the financial position of the board to show transparency and provide education on how the board operates with its funding.

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

3. **Continuing Professional Development** Mr. McNeely brought this discussion to the LSBEP to begin a dialogue about psychologists continuing professional development (CPD), the benefits of CPD on the growth and development of a professional, and how the board could engage in offering and approving CPD in partnership with organizations that offer or develop programs; including opportunities to participate in a virtual forum. The Board discussed the matter and agreed that the objectives and direction of CPD offered by the board should have a limited focus on ethics and regulation in psychology. Mr. McNeely moved to pursue creating a program to provide CPD of a limited scope in partnership with industry. Dr. Gormanous seconded the motion. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
4. **Policies and Procedures** Due to time limitations, this agenda item was tabled without objection.
5. **Information Technology/Equipment/Computer Upgrades** Ms. Monic updated the Board on the equipment needs of the LSBEP including new needs for a wide-angle camera and microphone for living streaming from the conference room for the purpose of enabling the public to join meetings and hearings once the board begins meeting in person again. Approval of an amount was tabled until the board could receive additional information related to finances with Valerie Dominique later today.
6. **ASPPB Meeting Registration** – The Board discussed the upcoming virtual ASPPB Annual Meeting. Dr. Gormanous moved that the Board approve registration funds for all board and staff whose schedules permit them to attend. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
7. **LSPA Annual Conference Virtual Speaker Survey and Participation** – Ms. Monic reported that the LSSP Committee was invited to present at the LSPA Annual Conference via virtual platform. Dr. Gormanous moved to approve the LSSP Committee’s representation at this conference with pre-approval of the presentation. The Board discussed the motion. The motion passed by roll call vote as follows: In favor:(5) Henke, Gormanous, Gibson, Moore, Harness; (0) Against; (0) Abstained; (1) Absent – McNeely was not present for this discussion or vote

The Board recessed for lunch from noon – 1:05 p.m.

8. **Civil Service Job Title/Description for PSYCHOLOGIST I** – This topic was brought by Dr. Henke through the review of applications for licensure and related email questions from individuals in classified positions in state agencies. After consulting with representatives of the Civil Service Commission, the Board’s concerns were well received, and the Commission agreed to address LSBEP’s concerns. Following discussion by the Board of the issues, Dr. Gormanous moved that Dr. Henke, Dr. Harness and Mr. McNeely work to provide education to Civil Service representatives related to statutes and regulations governing the practice of Psychology and include examples of options for job titles appropriate for the current description of “PSYCHOLOGIST I”. Specifically, 1) The Board was unsure whether this position was currently utilized for more permanent placement,

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

however agreed that they do not intend to cause displacement or termination for anyone currently in this position. After discussing the matter, the Board agreed that it would be acceptable to utilize the term “ Post-Doctoral Psychology Fellow” for individuals who are in a longer-term position working under the *clinical supervision* of a licensed psychologist; 2) Clarify the requirement of and difference between “clinical supervision” requirements of unlicensed individuals as opposed to “administrative supervision” or consulting relationships; and, 3) bring attention to the requirements for the position that “*A doctoral degree in psychology from any regional accredited university or other institution of higher learning offering a full-time doctoral course of study in psychology that is approved by the board.*” Which would be true for a “Provisionally Licensed Psychologist”, however without this interim license granted by the LSBEP, the Board would not otherwise be involved in the approval of an individual’s doctoral training or their eligibility for a future license. The Board discussed the motion. The motion passed by roll call vote as follows: In favor:(5) Henke, Gormanous, Gibson, Moore, Harness; (0) Against; (0) Abstained; (1) Absent – McNeely was not present for this discussion or vote

9. **Future Meeting platform/participation** – The Board discussed the continuance of meeting via Zoom. Dr. Gormanous raised concerns for the legality of prohibiting participation by a Board Member during a state of Emergency and especially for those individuals considered “high-risk”. The board discussed other factors such as statutory restrictions and a continuing state of Emergency. It was a general consensus that the Chairperson continue to assess the current state of the Declared Emergency and individual board member needs, to determine the continued ability of the LSBEP to meet via Zoom.

10. **ASPPB’s Request for participation in diagnostic interview** – Dr. Henke shared an invitation to participate in a diagnostic interview with a third-party consultant hired by ASPPB to conduct interviews and engage a “...comprehensive process that seeks nuanced, bracingly honest, and qualitative feedback from constituents” as they aim for “transformation via fearlessness.” Dr. Henke requested permission from the board to participate with Executive Director, Jaime Monic. Dr. Gormanous moved that the board authorize Dr. Henke and Ms. Monic to participate in this interview. The Board discussed the motion. The motion passed by roll call vote as follows: In favor:(5) Henke, Gormanous, Gibson, Moore, Harness; (0) Against; (0) Abstained; (1) Absent – McNeely was not present for this discussion or vote

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

Dr. Gormanous moved to close Executive Session to enter the Open Meeting to report on and consider motions on Executive Session matters, and meet with CPA, Valerie Dominique. The Board discussed the motion. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; 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

SUPERVISION/CREDENTIALS COMMITTEE: File Reviews [LSA-R.S. 42.17.A(1)] – No discussions were held related to this agenda item in Executive Session.

JURISPRUDENCE EXAMINATION [LSA-R.S. 42:17] The Board discussed and approved questions for the development of the online examination. Dr. Moore affirmed her commitment to continue to develop items until the Board has developed a mass volume of questions to create multiple versions of the examination.

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

Dr. Sasha Lambert attended this portion of the meeting to provide information and summation of recommendations in the following cases:

1. **Matter filed by CCB (NP) Received on January 4, 2019** – Mr. Owens presented this case to the Board in Executive Session, and reported that following thorough investigation, review and consideration of all evidence in this matter by the Complaint Investigation Committee assigned to this case, consisting of Dr. Sasha Lambert, Amy Henke and Mr. Justin Owens, the Committee found insufficient evidence that a violation of the Psychology Practice Act had occurred. The Committee recommended that the matter be dismissed without further investigation or action. After consideration, Dr. Gormanous moved to accept the Complaint Investigation Committee’s recommendation. The Board discussed the motion. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
2. **Complaint Nos. P18-19-04C and P17-18-06C** – Response to Letter of Education. Dr. Henke was recused from this discussion and left the room. This matter was previously reviewed and closed with letters of education from the Board to the Respondent and Complainants, which letter of education did not require a response. The Respondent did voluntarily provide a response as well as additional documentation. Respondent requested consideration and correction to the Board’s original letter of education. This information and request was received, reviewed and discussed by the Board. The Board declined a correction on the Letters of Education, however requested that Ms. Monic request that Attorney Newton respond and provide clarification on the additional concerns following review of the additional information.

3:00 p.m. **Valerie Dominique, CPA** – attended this portion of the meeting to provide education and review the 2019-20 FY financials and discuss the current 2020-2021 and projected 2021-22 Budget. Ms. Dominique also presented financial reports from June 30, 2020 and July 31, 2020. Dr. Henke and Mr. McNeely also provided input from their review of the financial position of the Board and concerns that if the board does nothing to correct revenue flow it will not have funds to continue to fully operate after FYE June 30, 2022. Dr. Henke noted that the Board has continued to look to obstinance to correct budget issues, but the financial and fiduciary obligations to protect the public are not matched with the same reduction. Instead they are increasing and the Board has not kept up with these increases financially. The board reviewed the prior year, current year and projected year budget. In summary, the following schedule notes the continuing reduction of reserved funds carried over to the next fiscal year, notwithstanding the requirement of the LSBEP to fund long-term liabilities (OPEB/Pension).

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

| | 7/1/19-6/30/20 Prior Year Actual | 7/1/20-6/30/21 Current Year Budgeted* | 7/1/21-6/30/22 Projected Year Budgeted |
|---|--|---|--|
| Beginning Fund Balance/Net Assets | (262,416) | 124,555 | 78,101 |
| OPEB Liabilities | 102,838 | | |
| Pension Liabilities | 231,866 | | |
| Beginning Fund Balance/Net Assets (net of liabilities) | 72,288 | 124,555 | 78,101 |
| Total Means of Financing | 327,651 | 343,430 | 341,251 |
| Total Expenditures/Expenses/Transfers | (275,384) | (389,884) | (374,230) |
| | | | |
| Ending Fund Balance/Net Assets (net of Liabilities) | 124,555 | 78,101 | 45,122 |
| Reservations of Fund Balance/Asset Restrictions | | | |
| Unreserved Fund Balance/Unrestricted Net | 124,555 | 78,101 | 45,122 |

Mr. McNeely further noted concerns related to job performance, continuity, and the board's ability to continue operations should there be a loss of staff. He expressed concerns that the staff is underpaid. Due to time constraints, the Board agreed to continue the discussion and financial considerations at their regularly scheduled meeting on September 11, 2020. Ms. Monic noted that the Budget needed to be finalized by October in order to meet statutory reporting requirements.

At 4:11 p.m., Dr. Moore moved to adjourn the meeting. In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

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