

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Friday, September 11, 2020

FINAL APPROVED: November 20, 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, September 9, 2020. The notice included information on how to join the meeting virtually via Zoom <https://us02web.zoom.us/j/84112383863?pwd=Y3h6a0Rl amFwcmRDNjJRdkIwcmRDdz09>

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=Y3h6a0Rl amFwcmRDNjJRdkIwcmRDdz09>

Board Chairperson, Dr. Amy Henke, called the meeting to order at 8:44 a.m. on Friday, September 11, 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

Board Members Absent: 0

Guests in Partial Attendance: LPA Representatives: Dr. Kim VanGeffen and Dr. Richard Nilon, Dr. Erin Reuther

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 reviewed 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 Proclamation JBE2020 – 30, Section 4, 38-JBE-2020(J) and 110-JBE-2020 and 111-JBE-2020.

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Dr. Henke exercised privilege and requested the Board pause for a moment of silence in remembrance of those individuals who lost their lives and all persons impacted by the events of September 11, 2001. The board resumed their meeting following a short period of remembrance and reflection.

REVIEW AND APPROVAL OF AGENDA: Dr. Gormanous noted the specialty of Matthew C. Johnson, Ph.D. under Oral Examination, was posted incorrectly as “CL” and should be “CO/Counseling”. Dr. Gormanous moved to approve the agenda with noted correction. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

EXECUTIVE SESSION: Dr. Gormanous moved to enter Executive Session pursuant to LSA R.S.42:17.A(2) and (4) to conduct oral examinations, supervision and credential review, 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 and report on Executive Session 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)

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

Matthew C. Johnson, Ph.D. appeared before the Board in Executive Session for a face to face interview for licensure via reciprocity as a Diplomat of the American Board of Professional Psychology (ABPP). Finding that Dr. Johnson met the requirements for licensure, Dr. Henke moved that the Board grant **Dr. Johnson** a license to practice psychology with a declared specialty in Counseling Psychology. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

JURISPRUDENCE EXAMINATION [LSA-R.S. 42:17] The Board reviewed and discussed approximately 15 new examination items prepared by Dr. Moore. The Board amended and approved the new items to be included in updated forms of the jurisprudence examination. At the request of Dr. Gormanous, the Board also reviewed the validity of three current items. Following discussion, three current items were approved for revision. Noting the confidentiality of the examination, Dr. Gormanous moved that the board adopt the changes discussed in Executive Session. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

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

Dr. Henke reported she had completed file reviews. Following discussion with the Board in executive session, Dr. Henke offered the following recommendations:

- a. Dr. Henke recommended **Dr. Erin Roland’s** Application for Temporary Registration be approved. Dr. Gormanous moved to accept the recommendation of Dr. Henke. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- b. Dr. Henke recommended that **Dr. Kate Glywasky’s** Application for Licensure Via Reciprocity be accepted, that her candidacy be confirmed, and that the Board invite Dr. Glywasky to complete the face to face interview required for licensure. Dr. Gormanous moved to accept the recommendation of Dr. Henke. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

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- c. Dr. Henke recommended that the candidacy status of **Drs. Hannah Samaha, Yelena Johnson, Shawn Gilroy, Taylor Terrebonne and Arielle Brown** be confirmed, and that the Board invite Drs. Samaha, Johnson, Gilroy, Terrebonne and Brown to complete the Oral Examination required for licensure. Dr. Gormanous moved to accept the recommendation of Dr. Henke. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- d. Dr. Henke reported she reviewed and approved a Supervised Practice Plan for **Georgia Shaheen, Ph.D.**
- e. Ms. Monic reported the LSSP Committee reviewed and recommended **Jolie Guidry** be approved for Licensed Specialist in School Psychology. Dr. Henke reported she reviewed the file and recommendation of the LSSP Committee and moved that the Board accept the recommendation. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

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

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

1. **Complaint No. P19-20-07C** (*Complaint Committee Assigned: Dr. Sasha Lambert, Dr. Greg Gormanous, Attorney Courtney Newton and Mr. Justin Owens*) - Dr. Henke was recused from this matter and was not present for the review, recommendation or discussion. Dr. Lambert 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, 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. The Board thoroughly discussed this matter and considered the recommendation of the Committee. Dr. Moore moved to accept the Complaint Investigation Committee’s recommendation. No additional motions were offered. The motion passed by roll call vote as follows: In favor:(5) Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0); Recused (1) Henke

2. **Complaint No. P19-20-12C** (*Complaint Committee Assigned: Dr. Sasha Lambert, Dr. Amy Henke, and Mr. Justin Owens*) - Dr. Lambert 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, 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. The Board thoroughly discussed this matter, and considered the recommendation of the Committee. Dr. Moore moved to accept the Complaint Investigation Committee’s recommendation. No additional motions were offered. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

The Board adjourned for lunch at 11:00 a.m. and reconvened in open meeting at 12:15p.m.

OPEN MEETING Continued:

REVIEW AND APPROVAL OF MINUTES: The Board discussed and amended the draft Minutes of July 17, 2020. Dr. Gormanous moved to approve the minutes of July 17, 2020 as 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). Ms. Monic reported the draft of the August 21, 2020 minutes were not complete for review.

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COMMITTEE AND LIAISON REPORTS

The Board received Committee and Liaison reports as follows:

1. Executive Committee Report –

- a. Ms. Monic updated the Board on the status of the CERTEMY and that progress was being made in developing the application workflows. She is still investigating payment processors and reviewing fee structures to determine which vendor is best. After contacting all vendors, none were willing to negotiate lower rates for processing fees.
- b. Dr. Henke reported that the Executive Committee is recommending phasing out the Weekly Wednesday Update series. Considering the relevance of the information being reported weekly in response to COVID-19, noting that the information has become redundant is not as valuable as it was in the beginning of the pandemic. Should new information, proclamation or orders be issued that impact psychologists, the Executive Committee will proceed with a notice to licensees. The board discussed the recommendation and affirmed the recommendation without objection.

2. Finance Committee - Ms. Monic provided a copy of the Annual Financial Report (AFR) prepared by Valerie Dominique, CPA for FYE June 30, 2020. The Board reviewed and discussed the AFR. Dr. Gormanous moved to accept the AFR for FYE June 30, 2020. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0). Ms. Monic Reported she reviewed and approved Leave Reports for Mr. Owens.

3. Oral Examination Committee: Dr. Moore reported that the Board conducted one face to face interview in executive session on this date.

4. Legislative Oversight Committee – Update on AdHoc Legislative Collaborative Committee (ALCC) - Mr. McNeely reported that there was no meeting currently scheduled for the ALCC. He reported that at the last meeting of the ALCC, Attorney Newton was present and had valuable recommendations and guidance. Dr. Henke is going to make some proposals based on Attorney Newton’s recommendations and guidance for consideration by the ALCC at their next meeting. Mr. McNeely also reported that the Louisiana Legislature convened a Special Session however it would be limited to bills pertaining to COVID-19 and the budget. He recommended that the Board set a deadline for the ALCC to finalize and submit their recommendations related to SB458 for consideration by the Board no later than January 2021, in order that the Board may have time to consider the recommendations and prepare to prefile for the 2021 Regular Session. The board discussed the recommendation. Dr. Moore moved to accept Mr. McNeely’s recommendation. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0).

5. Supervision/Credentials Committee - Dr. Henke reported that file reviews were conducted and discussed in executive session on this date with the following actions taken following discussion: 1 LSSP approved for license; 1 Temporary Registration approved; 1 Candidate approved to meet face to face to complete the requirements for licensure via reciprocity; and 5 Candidates approved for an invitation to sit for the Oral Examination for licensure.

6. Complaints Committee -

- a. **Complaint Status Report** - Mr. Owens presented his Compliance Report for the period **08/21/20 – 09/11/20** as follows:
 - 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: **20**
 - **15** are Active Investigations

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- 1 from FY16-17
 - 2 from FY17-18
 - 2 from FY18-19
 - 8 from FY19-20
 - 7 from FY 20-21
- 5 are Under review/Respondent not yet noticed
- Total number of cases to be reviewed by the Board at the September 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.
7. Public and Professional Outreach Committee - LSBEP Newsletter – 2ND Edition 2020 Assignments and Topics - Dr. Henke reported that she was writing an article to report on the financial situation of the board for the next newsletter. She requested that board members volunteer to write for the following edition. Dr. Gormanous volunteered to interview Dr. Harness for the *Meet the Board* feature. Dr. Gibson volunteered to write an article on the Complaints Process. Ms. Monic was also directed to reach out to the LSSP Committee and invite them to write a feature or article for a future newsletter.
8. Liaison to Professional Organizations -
- a. **ASPPB Meeting Registration and Attendance (October 16-17, 2020)** - Ms. Monic reported that registrations have been submitted for herself and Drs. Henke, Gormanous, Gibson and Moore.
 - b. **LSSP Committee Composition/Affirm Members** - Ms. Monic reported that no school psychologist had submitted their name for consideration for this committee. Dr. George Hebert volunteered to serve a second term in the absence of a nomination. The board discussed this matter and Dr. Gormanous moved in favor of appointing Dr. George Hebert to serve the term July 1, 2020 - June 30, 2023. The Board discussed this 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)
 - c. **LSPA Annual Conference Virtual Speaker Survey and Participation** - Ms. Monic reported that the LSSP Committee was invited to participate in the LSPA Annual Conference which will be held virtually. The Board approved participation in this conference by the LSSP Committee and requested the LSSP Committee provide their presentation to the LSBEP for approval.
 - d. **ASPPB's Request for participation in diagnostic interview scheduled for September 15, 2020** - Dr. Henke reported that she and Ms. Monic were scheduled to participate in this interview on September 15, 2020.
 - e. **Board Chair participation in ASPPB's Meeting of Board/College Chairs on October 22, 2020** - Dr. Henke reported that she would be attending ASPPB's Meeting of Board/College Chairs on October 22, 2020.

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- f. **ASPPB Midyear Meeting – April 2021, New Orleans, Request for Planning Committee Representative** - Dr. Henke reported that she was invited to participate on the Planning Committee for ASPPB’s Midyear Meeting to be held in New Orleans for April 2021 and requested the Board’s permission. The Board discussed the request. Dr. Gormanous moved in favor of having Dr. Henke participate as requested. 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)

DISCUSSION/ACTION ITEMS

1. 2020-21 Budget Review - Public Protection and Safety, Time sensitive, required to ensure financial solvency:

a. **Fee Considerations** - Dr. Henke presented this discussion item in continuation of the previous meeting discussion. Dr. Henke reported that Mr. McNeely, Ms. Monic and herself met to focus on the budget and consider recommendations for the Board. Dr. Henke noted the group also communicated with Erin Reuther at LPA. Dr. Henke reported that she has spent a lot of time reviewing the board’s finances and delving into the work that is required to run a board. A draft budget was again reviewed by the Board. Dr. Henke made recommendations to increase license renewal fees from \$350 to \$400, which would automatically impact the reduced fee for individuals 65+ from \$175 - \$200, and automatically impact the reinstatement fee, increasing that from \$550 to \$600; increase the Temporary Registration Application fee from \$125 to \$200; and increase the paper processing fee from \$15 to \$50. Mr. McNeely moved in favor of approving the increases. 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)

b. **Employee/Contract Restructuring** - Ms. Monic presented contract information for Monique Marino noting that the contract was not being utilized as hoped and therefore the board should give consideration to continuing the contract; with the CERTEMY contract in place, the board would begin phasing out the need for the contract with Sparkhound; the Board should consider availability of funding for annual cost of living raises for employees; and also review the contract for Attorney Courtney Newton, noting that this contract was depleted however there is still 9 months remaining in this fiscal year with many complaints still open, and new complaints being filed monthly as evidenced by Mr. Owen’s monthly report. Ms. Monic noted that it is difficult to control spending once a matter requires an attorney, and most do. The Board again discussed the option of an in-house attorney. Ms. Monic noted that both unclassified positions that the Board is constitutionally entitled to were filled, noting the added responsibility and potential liability of having to manage an employee in accordance with Civil Service rules and requirements to adhere to their fee schedule, pay raises, etc. Mr. McNeely moved in favor of proceeding with in-house counsel. 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)

Further, Mr. McNeely moved in favor of empowering Ms. Monic to explore and initiate requesting an exemption from the classified service in creating a new unclassified position to employ in house counsel, and in order to reduce contracts, reduce Ms. Monic’s workload, increase productivity and position the board for continuity should there be a loss of the board’s current workforce. 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. Henke requested to table further discussion of this matter to enable the Board to consider future pay raises and potential negotiation for employment of in-house counsel in executive session. Dr. Gormanous moved to complete the open meeting discussion items. The Board discussed the motion. The motion

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passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness;
Against: (0); Abstained: (0); Absent: (0)

2. **Rulemaking Assignments and Timelines– Public Protection and Safety, time sensitive, required to ensure financial solvency** - Ms. Monic requested consideration of any rulemaking initiatives following the budget amendments. The Board considered previous rules impacting (positive or negative) the collection of revenue including: a. Fees; b. Continuing Professional Development; c. Inactive License Status; d. Emeritus Status. The Board also discussed other rulemaking initiatives and requirements, including e. Summary Suspension Procedures; and La. Rev. Stat. Ann. § 49:953.C. - Procedure for an interested person to petition the agency for rulemaking; and Telepsychology. Dr. Henke moved in favor of proceeding with rulemaking initiatives to change fees as discussed and approved by the Board during this meeting and including rulemaking initiatives to create a true Emeritus Status for fully retired psychologists no longer practicing. 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)
3. **POLICIES AND PROCEDURES** – In light of the decision of the Louisiana First Circuit Court of Appeal *In the Matter of Dr. Eric R. Cerwonka, Psy D. 2017 CA 1199 on April 11, 2018* and again *In the Matter of Dr. Eric [R.] Cerwonka, PSY.D. 2019 CA 1291 on June 26, 2020* related to the Board’s authority to delegate summary suspension authority to an employee and/or employee contracted by the Board, the Board reviewed their Policy and Procedures related to complaint and hearing procedures and summary suspension procedures. The Board also considered Video Meeting and Examination Decorum policy, unrelated to complaints procedures.
- a. Review Complaint and Hearing Procedures - Dr. Henke requested that Mr. Owens provide an overview of the current complaint process to explain to new board members and guests how the board receives, investigates and adjudicates complaints. Mr. Owens did summarize the complaint process as requested.
- b. Review Summary Suspension Procedures - Ms. Monic expanded on the complaint/hearing process and explained Summary Suspension Procedures prior to the litigated matters referenced herein, and the interim procedures established during the period of the litigated matters.

Following presentation and review, Dr. Henke moved that the Board revise its policies and procedures related to Summary Suspension to delegate to the Complaints Committee, the authority to issue a temporary summary suspension, pending hearing in accordance with its authority to delegate as affirmed by the decisions of the Louisiana First Circuit Court referenced herein, and under the authority of La. R.S. 37:2353.C.(2), and in accordance with its authority under the La. Admin. Procedures Act 49:961.C., La. R.S. 37:2353.C.(4), and Rules 1501.C. and 1503.B., and *et al*, as follows:

“1. *The Complaints Committee comprised at least four (4) persons shall be delegated the authority to order the summary suspension of a license pending proceedings for revocation or other action, when it has been determined, by the four (4) members of the designated Complaints Committee defined herein, that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order.*

2. *The Complaints Committee issuing an order of summary suspension shall include the Board Chairperson, or if the Chairperson is recused, another appointed Board Member. The remaining persons shall be a combination of at least three (3) additional persons who are the Complaints Coordinator, Board Attorney, Compliance Officer and/or the Executive Director of the Board.*

3. *In accordance with the La. Admin. Procedures Act, La. Revised Statutes Title 37, Chapter 28. Psychologists, the Louisiana Administrative Code (Rules) Title 46, Part LXIII. Psychologists, when a*

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summary suspension has been ordered by the Complaints Committee, the Executive Director (or in the absence of the Executive Director, other able-bodied member of the designated Complaints Committee) shall immediately set a date for formal hearing proceedings within a period not to exceed 14-days, before the appointed members of the Board. Extensions to the formal hearing date may be granted beyond the 14-day period at the request of the Respondent.”

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)

- c. Video Meeting and Examination Decorum - Dr. Moore presented a draft policy for Video Meeting and Examination Decorum. The Board reviewed and discussed the draft policy. Dr. Gormanous moved in favor of adoption of the policy, the Board discussed the motion. 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)

4. **Information Technology/Equipment/Computer upgrades** – Ms. Monic discussed the need for upgrading computers, noting that she and Mr. Owens were using a 2014 MacBookAir with a 13-inch screens that were no longer adequate for the volume of work required. Additionally, desktop scanners were needed in order to keep up with the changes brought about by COVID, requiring application files be digital for remote review, and related changes requiring digital/paperless communication. Dr. Henke moved in favor of allowing a budget of not more than \$5000 to cover costs of purchasing two new desktop computers, two dual monitors, two desktop printers with scanning capabilities, camera and microphone for virtual meeting, and related costs for setup/wires/program applications. 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)
5. **October 9, 2020 Meeting Location/Participation** – The Board considered proceeding with in-person meetings in October and agreed to continue to meet virtually when appropriate where the state continues to respond to the Governor’s emergency declaration, and within statutory limitations.
6. **ASPPB Annual Meeting – Voting Delegate – Candidate Review – Public Protection and Safety, Time Sensitive** - The Board discussed the upcoming ASPPB Annual Meeting. The Board reviewed Candidates running for ASPPB’s Board Member-at-Large. The Board agreed that it would favor a candidate that is an independent thinker and who is willing to commit to the mission of ASPPB which is to support member jurisdictions. Dr. Gormanous moved in favor of Dr. Henke representing the Board as LSBEP’s voting delegate. 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)
7. **Dawn Sharpless – Petition/Email for consideration of statutory/regulatory amendment related to forensic practice by retired psychologists. Public Protection and Safety** - The Board reviewed the email petition from Dr. Dawn Sharpless for consideration of the following statutory or regulatory amendment to allow “A retired psychologist who once qualified as an expert witness and who no longer maintains a license to practice psychology in Louisiana is still considered to be an expert witness in terms of testifying on reports written while he/she was duly licensed for a period of two years following the date the license lapsed. However, once retired, such individuals are prohibited from any other psychological practice.” The Board discussed this matter thoroughly. Following discussion, finding that it would not be in the interest of public protection to enable unlicensed practice by individuals, including a provision to allow expert testimony, where such practice will likely have a substantial impact on an individual’s freedom, property, parental rights and/or

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other rights, Dr. Gormanous moved in favor of declining the petition of Dr. Sharpless. 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 further moved that the Board thank Dr. Sharpless for bringing this matter to the Board for consideration and reaffirm the guidance originally issued by Ms. Monic that individuals who do not obtain or retain a license to practice psychology are not able to use the term psychologist, represent they are qualified to practice psychology or that they have expert qualifications in psychology, including rendering new opinions based on psychological principals. This would not prohibit an individual from providing testimony as a fact witness. 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)

EXECUTIVE SESSION:

Following completion of discussion items, Dr. Gormanous moved to return to Executive Session pursuant to LSA R.S.42:17.A(2) and (4) to continue to discuss budgetary items that involve salary negotiation and other personnel 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) Ms. Monic was not present for this discussion.

Dr. Gormanous moved to close Executive Session to enter the Open Meeting and report on Executive Session 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)

Mr. McNeely moved in favor of the following three budgetary items impacting salary:

1. To grant Ms. Monic a \$5,000 raise effective immediately. 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) Ms. Monic was not present for this discussion.
2. To grant the authority to Ms. Monic to provide up to a 1% raise to Mr. Justin Owens to be split with the Louisiana Behavior Analyst Board, following satisfactory employee performance evaluation after his one year anniversary. 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)
3. Upon approval of the exemption from classified service for in house legal counsel, negotiate an offer with Attorney Courtney Newton, currently contracted for legal services since 2017, to move from a contract employee to a full-time employee, prior to opening the position for public search. Such position shall have a starting salary of \$55,000 plus health and retirement benefits. 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 further moved that the in house legal counsel position have a 3 month probationary period wherein a Continuing Education Program is developed and training is offered within the area of ethics and law as it relates to the practice of 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) Ms. Monic was not present for this discussion.

At 4:30 p.m., Dr. Moore moved to adjourn the meeting. 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
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
LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

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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