

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Thursday, October 11, 2019 and
Friday, October 12, 2019

FINAL APPROVED: November 22, 2019

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was noticed and agenda posted on, Tuesday, October 8, 2019. Dr. Koren Boggs called the meeting to order at 9:15 a.m. on Thursday, October 10, 2019 at 4334 S. Sherwood Forest Boulevard, Sherwood Oaks Office Park, Suite C-150, Baton Rouge, LA 70816. Present were Board Members, Drs. Koren Boggs, Amy Henke, Gregory Gormanous, Gina Gibson, and Michelle Moore; Executive Director, Jaime T. Monic; Attorney Courtney P. Newton, and Guests: Drs. Jesse Lambert, Carmen Broussard, Darlyne Nemeth, Joseph Comaty, Kim VanGeffen, Julie Nelson, and Alan Coulter.

Dr. Boggs opened the meeting by reading the Board's Declaration of Purpose.

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."*

REVIEW AND APPROVAL OF AGENDA: Dr. Gormanous moved to approve the agenda as posted. The motion passed by roll call vote as follows: BOGGS – YEA, HENKE-YEA, GORMANOUS – YEA, MOORE – YEA, GIBSON - YEA

CHAIR'S REPORT: . Dr. Boggs reported that objectives for her tenure would be continuing to move forward with rule/policy revisions to ensure that persons are practicing within their competencies. Dr. Boggs invited Ms. Monic to provide a renewal and complaint status as part of this report. Dr. Boggs reported that the board hired a new employee to serve as an in-house investigator.

DISCUSSION/ACTION ITEMS

1. Policy revisions to the oral examination process – Dr. Boggs presented this matter and her views on revising the oral examination process. Dr. Boggs proposed a model that would required an individual to declare their competencies as opposed to offering a case vignette in a certain specialty area. The group reviewed the current process and rating scale for current oral examination. Discussion included proposed changes to assessing competence and safety including:

- a. Annually updating competencies at renewal.
- b. Determining how a candidate determines what they may need to know to be considered competent to treat a patient; how to continually expand competency; when to refer a patient.
- c. Consider eliminating the vignette as part of the oral exam.
- d. Consider requiring an individual to bring their own case in for discussion as part of the

oral exam.

e. Defining competence (knowledge plus skills and ability) in the rules.

2. **Specialty designation vs. HSP/General Applied Psychology** – The Board discussed the idea of eliminating specialty designations and recognizing the psychologists license as either a Health Service Provider or a General Applied Psychologist. The group discussion included:

- a. Defining where programs such that train developmental psychologist would be placed.
- b. Redefining criteria for acceptable training programs in either category.

3. **Adopting opinion and guidelines for Tele-Supervision** Dr. Moore presented this topic and her goal to expand the current Telepsychology Guidelines adopted by the LSBEP to include guidelines for providing supervision via telephone or other electronic means. The group discussion included:

- a. Determining what training subsets would be allowed to utilize tele-supervision.
- b. Would preapproval by the board be required to determine acceptability.

4. **Registration of unlicensed assistants** – The Board discussed the current regulations under Chapter 11 which define the utilization of unlicensed assistants. The group discussed the concerns for public safety in considering the telepsychology guidelines; and also concerns brought up by Dr. Darlyne Nemeth in the rules hearing held earlier this date related to individuals utilizing assistants for “doc-in-the box” corporations. The group discussion included:

- a. Requiring registration of assistants.
- b. Requiring a criminal background check as part of that registration.
- c. Utilizing billing standards to define what unlicensed assistants should be registered.
- d. Determining if groups share assistants and if so, how would that be administrated through registration.

5. **Masters Level License** – Dr. Nelson reported that LPA was leaning toward favoring a masters level licensing, and although it is still trending, the movement has died down. Dr. Gormanous suggested that LSBEP wait and see where the American Psychological Association will be going with approving masters level programs and also wait and see if the Association of State and Provincial Psychology Boards develops guidelines and definitions for masters level licenses. Dr. Henke expressed her desire that, from a board perspective, if this is to come to fruition, that masters level psychologists will be licensed with this board (the LSBEP). The group expressed its concerns that the masters level psychologist scope be clearly differentiated from the Ph.D. psychologist. The Board discussed creating an AdHoc study group to follow this trend and make recommendations and reports to the LSBEP on developments.

6. **Reciprocal Licensing** – The Board discussed that consideration would be given to revising the regulations guiding reciprocal applicants for licensure, given the diversity in licensing requirements, to ensure that there were no loopholes for applicants who would not meet Louisiana’s minimum standards for licensure.

7. **Jurisprudence Examination** - The Board discussed the development of an online jurisprudence exam for initial licensure as well as offering the examination to licensees as CPD to fulfill the ethics requirements.

8. **EPPP2** – The Board discussed the EPPP2 and Dr. Gormanous and Ms. Monic’s attendance at ASPPB’s Annual Meeting. The Board requested that attendees bring up Louisiana’s desire that states who are not early adopters are not penalized and their applicants are allowed to take part 2 of the examination if they want to.

9. **Continuing Education Requirements** – The board reflected on the comments received during the hearing. Dr. Henke explained that the Board desired to move toward a model that focused on quality over quantity; consider reducing the number of hours; and requiring only formal approved activities. The Board discussed soliciting additional comments on this matter through a survey. Dr. Moore agreed to develop the survey.

10. **Complaint adjudication process** – Ms. Newton presented the draft rules revisions for complaint adjudications.

11. **Other requests for changes received during comments period** – Dr. Gormanous requested that the Board also take a look at offering a fee reduction for duly licensed psychologists/medical psychologists.

4:00 p.m. ADJOURN – Dr. Boggs adjourned the meeting for the day and announced the board would reconvene in the morning on Friday, October 11, 2019 at 9:00 a.m.

FRIDAY, October 11, 2019:

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was noticed and agenda posted on, Tuesday, October 8, 2019. Dr. Koren Boggs called the meeting to order at 9:00 a.m. on Friday, October 11, 2019 at 4334 S. Sherwood Forest Boulevard, Sherwood Oaks Office Park, Suite C-150, Baton Rouge, LA 70816. Present were Board Members, Drs. Koren Boggs, Amy Henke, Gregory Gormanous, Gina Gibson, and Michelle Moore; Executive Director, Jaime T. Monic; Attorney Courtney P. Newton, and Guests: Drs. Mark Zimmermann and Richard Niolon.

Dr. Boggs opened the meeting by reading the Board’s Declaration of Purpose.

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.”*

REVIEW AND APPROVAL OF AGENDA: Dr. Gormanous moved to approve the agenda as posted. The motion passed by roll call vote as follows: BOGGS – YEA, HENKE-YEA, GORMANOUS – YEA, MOORE – YEA, GIBSON - YEA

REVIEW AND APPROVAL OF MINUTES: Dr. Gormanous moved to approve the minutes of September 20, 2019 as discussed. The motion passed by roll call vote as follows: BOGGS – YEA, HENKE-YEA, GORMANOUS – YEA, MOORE – YEA, GIBSON - YEA

Dr. Gormanous moved to enter Executive Session pursuant to LSA R.S.42:17.A(2) and (4) to conduct file reviews, discuss complaints, and conduct oral examinations. The motion passed by roll call vote as follows: BOGGS – YEA, HENKE-YEA, GORMANOUS – YEA, MOORE – YEA, GIBSON - YEA.

Dr. Henke moved to close Executive Session to enter the following. The motion passed by roll call vote as follows: BOGGS – YEA, HENKE-YEA, GORMANOUS – YEA, MOORE – YEA, GIBSON – YEA

OPEN MEETING:

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

1. In the Matter filed by BB received 9/30/2019 - The Board reviewed the matter involving a complaint against a non-psychologist. It was determined that the matter did not fall within the purview of the LSBEP. Dr. Gormanous moved in favor of closing the matter. The motion passed by unanimous roll call vote of the members present as follows: BOGGS – YEA, HENKE-YEA, GORMANOUS – YEA, MOORE – YEA, GIBSON – YEA

SUPERVISION/CREDENTIALS COMMITTEE: APPLICANT/LICENSE FILE REVIEWS [LSA-R.S. 42.17.A(1)] –

Dr. Gormanous reviewed and presented the Application for License of **Nicholas Oleen-Junk, Ph.D., Emily E. Brickell, Psy.D., and Raymond P. Tucker, Ph.D.**, to the Board with a motion to confirm their candidacy status and invite them to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Boggs reviewed and presented the Application for License of **Suzana E. Flores, Psy.D.**, to the Board with a motion to invite **Dr. Flores** to take the Oral Examination to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Moore reviewed and presented the Application for License of **Matthew A. Taylor, Psy.D., Provisional License No. 1512PL**, to the Board with a motion to invite **Dr. Taylor** to take the Oral Examination to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Gibson reviewed and presented the Application for Provisional License of **Madison W. Silverstein, Ph.D.** to the Board with a motion to confirm the Candidacy Status of Dr. Silverstein and upon receipt of passing Jurisprudence Examination, approve her Provisional Licensure and admit the Candidate to the National Examination for Professional Practice in Psychology (EPPP). The Board discussed the motion. The motion passed unanimously.

Dr. Moore reported that she reviewed and approved the Supervised Practice Plans for **Kara M. Dingess, Ph.D., Arielle A. Brown, Ph.D., Margaret A.F. Olivieri, Ph.D., Russell S. Anderson, Ph.D., Andrew Frazer, Ph.D. and Hanna Samah, Ph.D.**

Dr. Henke reviewed and presented the Temporary Registrations of **Mary Tramontin, Ph.D., Kiana Wright, Psy.D. and Robert T. Kinscherff, Ph.D.**, with a motion to issue their temporary practice registration upon receipt of passing Jurisprudence Examinations. The Board discussed the motion, the motion passed unanimously.

GENERAL BUSINESS/DISCUSSION:

1. Report and Updates from the Executive Director - Ms. Monic reported:
 - that she and Dr. Gormanous would be attending the ASPPB 59TH Annual Meeting in Minneapolis, Minnesota October 16-20, 2019 and that she had completed her registration as the voting delegate for the LSBEP;
 - that she would be attending the LSSP Committee's presentation to the Louisiana School Psychologist Association on November 6, 2019 from 2-3pm;
 - that approval for the Compliance Officer position had been received from Louisiana's Civil Service and the board could move forward with the placement of Mr. Justin Owens for that position and that Mr. Owens would be registered for the Clear Training in December; and
 - that the Call for Nominations for the next board vacancy and LSSP Committee member will remain open since there have been no nominations received to date.

2. Thomandra Sam – Request for Exception to Supervision of Unlicensed Assistant – The Board requested that Dr. Sam provide additional information related to her assistant prior to approving the relationship.

3. Reimbursement for Interns – Michelle Moore disclosed her participation on a taskforce that is working with lawyers from American Psychological Association to devise a Medicaid pilot project in regards for possible reimbursement for intern services.

4. **October 2019 Newsletter** – The Board reviewed the draft newsletter and approved the publication with minor revisions. Dr. Moore will also set up a SurveyMonkey to include the link on Dr. Henke's CPD Article.

5. **ASPPB Nominees for Office President-Elect:** The Board reviewed and discussed the nominee statements of President-Elect: Tomas R. Granados, Psy.D; Member-at-Large Nominees: Steven C. Atkins, Psy.D., Hugh D. Moore, Ph.D., MBA, Neal R. Morris, Ed.D., MS, CBSM, ABPP-CL, and Michelle G. Paul, Ph.D. By motion of Dr. Henke, unanimously approved by the board without objection, directed the attendees (Dr. Gormanous and Ms. Monic) to interview the candidates and select the candidate that is a free thinker, open to the idea that not all jurisdictions are able to require the EPPP-2, and that the candidate will select options in proceeding that do not harm those jurisdictions that are not early adopters of the EPPP-2.

6. **FINANCIAL:** The Board thoroughly reviewed the budget for the current Fiscal Year 2019-20, Dr. Amy Henke moved in favor of approving amendments to the budget to accommodate the Compliance Officer position previously approved. The Board also reviewed the budget for the impending Fiscal Year 2020-21, by motion of Dr. Gregory Gormanous, the following resolution was formally adopted:

In consideration of the Louisiana State Board of Examiners of Psychologists (LSBEP) commitment to carry-out its duties and delegated authority under La. R.S. 37:2351 *et al* to protect the public, at its Annual Long Range Planning Meeting on October 11, 2019, the LSBEP members reviewed and discussed the current state of its finances including income, expenses and presently unfunded operations, including staff, salaries, training, required long term liabilities (OPEB and pension), and a “rainy day fund” for legal expenses. The members reviewed the current July 1, 2019 through June 30, 2020 budget and proposed July 1, 2020 – June 30, 2021 as prepared by LSBEP Accountant, Valerie Dominique, CPA and in conjunction with the recommendations of its Executive Director, Jaime T. Monic pertaining to current operations, shortfalls in funding, and emerging public protection issues based on trending professional practices and consumer complaints. Following extensive discussion and review, by motion of **Dr. Gregory Gormanous**, and roll call vote of the members present, the LSBEP unanimously adopted the following resolution:

WHEREAS the LSBEP is created under La. R.S. 37:2351 to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and,

WHEREAS the LSBEP, in carrying out its obligations, under La. R.S. 37:2353, “shall be financially self-sufficient. It shall receive no state funds through appropriation or otherwise and shall not expend such state funds. No state funds shall be expended or committed to expenditure for the group benefits program or any other health insurance or employee benefit program, for any retirement system, for any salary, per diem payment, travel or expenses, office supplies and materials, rent, purchase of any product or service, or for any other purpose.”; and,

WHEREAS the LSBEP is authorized under La. R.S. 37:2354 to collect certain fees to be paid into the treasury of the State Board of Examiners of Psychologists and which revenue 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.

THEREFORE, BE IT RESOLVED that the LSBEP adopts revisions to the current July 1, 2019 through June 30, 2020 budget which reflects an increase in the Total Salaries from \$111,540 to \$168,787; an increase in projected revenue due to expense sharing with the La Behavior Analyst Board from \$301,680 to \$329,831; and an increase in anticipated Total Operating Expenses from \$289,093 to \$366,236; and,

BE IT FURTHER RESOLVED that the LSBEP adopts the proposed July 1, 2020 – June 30, 2021 Budget, reflecting anticipated Total Means of Financing of \$342,936, Total Salaries of \$194,249, and Total Operating Expenses of \$365,654; and,

BE IT FURTHER RESOLVED that the LSBEP will engage in rulemaking to address the requirement for registration of assistants to psychologists in order to protect consumers of psychological activities which are performed by “unlicensed assistants” (e.g., need for authorizing criminal background checks) and the preapproval of continuing professional development activities which will impact the budget, therefore requiring continued financial analysis of the projected 2020-21 Budget for future amendments.

The resolution having been submitted to a vote of the majority of the LSBEP, the vote thereon was as follows: Koren Boggs – YEA; Amy Henke – YEA; Gregory Gormanous – YEA, Gina Gibson – YEA, Michelle Moore – YEA; 0 – Neys; 0 - Abstained; 0 – Absent; 1 – Vacant Seat(s)

7. **LRP Meeting Review and Development general discussion and work assignments** – Dr. Henke moderated assignments of board members, staff and LRP Guests to workgroups as follows: Ms. Monic would float to assist with questions or information for each group.

Specialty designation vs. HSP/General Applied Psychology – Koren Boggs, Gregory Gormanous and Gina Gibson

Tele-Supervision – Michelle Moore and Amy Henke

Registration of Unlicensed Assistants – Courtney Newton, Mark Zimmermann, and Richard Niolon.

8. **Requesting *cost savings* exceptions to PPM 49 from Commissioner of Administration (GGo)** – Dr. Gormanous presented this matter to the Board and the fact that there were agencies exempt from the requirement under PPM 49 to go through the state travel agency for booking flight, hotel and rentals, noting that it is more expensive in most cases to use the state’s travel agent. The Board discussed the matter. Dr. Henke moved that Dr. Gormanous be authorized to investigate and seek an exemption for the LSBEP from PPM 49.

1:00 PM RECESS TO COMMITTEE WORKGROUPS

3:00 PM RECONVENE FOR COMMITTEE WORKGROUP REPORTS:

Specialty designation vs. HSP/General Applied Psychology – Koren Boggs, Gregory Gormanous and Gina Gibson – Reported that the group would be focusing on the removal of the specialty designation option. The group discussed the ASPPB model act of selecting HSP or General applied then declaring intended areas of practice. The group identified their action items as researching laws and regulations of other psychology boards.

Tele-Supervision – Michelle Moore and Amy Henke – Dr. Henke and Moore reported additional changes to the guidelines including “other extenuating circumstances” such as when the supervisor has taken planned medical leave. Action items for the group include drafting the Telesupervision Application Form and making sure there was no statutory prohibition that would impact the guidelines and initiating a survey for distribution to licensees.

Continuing Education Requirements – Michelle Moore and Amy Henke – The group reported they discussed the survey and made changes to the proposed revisions including the acceptability of activities sponsored by international psychology associations which offer CPD activities to psychologists. Action items for the group include initiating a survey for distribution to licensees and also to provide a link to the survey in Dr. Henke’s CPD Article in the LSBEP Newsletter.

Registration of Unlicensed Assistants – Courtney Newton, Mark Zimmermann, and Richard

Niolon. Ms. Newton reported that the group discussed options for requirements for registration including but not limited to good moral character, age requirements, jurisprudence examination requirements. The group also discussed potential duties including but not limited to testing assistant, intake/medical history, individual and group counseling (which would require additional training) and limitations and prohibitions on any independent practice including but not limited to testing decisions, diagnosing, treatment recommendations or referral.

Dr. Boggs thanked guests for their participation and input in the workgroups.

At 3:00PM Dr. Henke moved to adjourn. The motion passed unanimously.