

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES: *October 23, 2015*
Accepted: November 19, 2015

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was noticed and agenda posted on October 21, 2015. Dr. Zimmermann, Board Chair, called the meeting to order at 8:30 a.m., Friday, September 18, 2015, at 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. Present were Board Members, Drs. Marc Zimmermann, Darla Burnett, Phil Griffin, Jesse Lambert and Koren Boggs; and, Executive Director, Jaime T. Monic.

Dr. Zimmermann first read the Board's mission statement. He then introduced and expressed a warm welcome to the Board's returning Executive Director, Ms. Jaime Monic. Ms. Monic reciprocated her thanks and appreciation for the opportunity to return to the position.

Dr. Burnett moved to amend the agenda to include a discussion item for the recently publicized FBI indictment alleging Medicare fraud by Beverly Stubblefield, Ph.D. The motion passed by unanimous roll call vote of the members present as follows: Zimmermann – yay, Burnett- yay, Griffin-yay, Lambert-yay and Boggs-yay. Burnett moved to approve the September 18, 2015 Minutes with minor revisions. The motion passed unanimously.

Dr. Zimmermann opened the meeting to the next item on the agenda involving the discussion of personnel matters. Dr. Lambert moved to enter into executive session pursuant to LSA R.S.42: 6.1, for such discussions as well as to conduct oral examinations. The motion passed by unanimous roll call vote of the members present as follows: Zimmermann-yay, Burnett-yay, Griffin-yay, Lambert-yay, and Boggs-yay.

Dr. Zimmermann moved to close Executive Session to enter the following:

PERSONNEL MATTER [LSA-R.S. 42.6.1]:

The Board discussed issues concerning facilitating a smooth transition for Ms. Monic; Dr. Zimmermann agreed to address concerns regarding the disposition of financial records.

The Board created two workgroups to address the vacancy created by the resignation of Dr. Pettigrew as Complaints Coordinator. Dr. Zimmermann and Dr. Griffin to try to recruit new applicants; and Dr. Zimmermann and Dr. Lambert to conduct interviews and report the results to the LSBEP.

ORAL EXAMINATIONS [LSA-R.S. 42.6.1]:

Continuing in Executive Session, the Board conducted the following oral examinations for licensure:

Keith Westerfield, Ph.D., appeared before the Board for an oral examination in Clinical Psychology. The Board discussed Dr. Westerfield's oral examination. Dr. Phil Griffin moved that the Board grant Dr. Westerfield a license to practice psychology with an additional specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously.

Provisionally Licensed Psychologist **Lindsay Poe, Psy.D.**, appeared before the Board for an oral examination in Counseling Psychology. The Board discussed Dr. Poe's oral examination. Dr. Koren Boggs moved that the Board grant Dr. Poe a license to practice psychology with a specialty in Counseling Psychology. The Board discussed the recommendation and the motion passed unanimously. Dr. Griffin abstained from this oral and vote.

Provisionally Licensed Psychologist **Jennifer B Hughes, Ph.D.**, appeared before the Board for an oral examination in Clinical Psychology. The Board discussed Dr. Hughes' oral examination. Dr. Darla Burnett moved that the Board grant Dr. Hughes a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously. Dr. Griffin abstained from this oral.

Provisionally Licensed Psychologist **Amanda Gallagher, Psy.D.**, appeared before the Board for an oral examination in Clinical Psychology. The Board discussed Dr. Gallagher's oral examination. Dr. Phil Griffin moved that the Board grant Dr. Gallagher a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously.

Megan Binder, Ph.D., appeared before the Board for an oral examination in Clinical Psychology. The Board discussed Dr. Binder's oral examination. Dr. Jesse Lambert moved that the Board grant Dr. Binder a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously.

Daniel Banken, Ph.D., appeared before the Board for licensure via Certificate of Professional Qualifications. Dr. Phil Griffin moved that the Board grant Dr. Banken a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously.

Erica Meyers, Ph.D., appeared before the Board for licensure via Certificate of Professional Qualifications. Dr. Darla Burnett moved that the Board grant Dr. Meyers a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously.

Jennifer Volz, Ph.D., appeared before the Board for an oral examination in School Psychology. The Board discussed Dr. Volz's oral examination. Dr. Jesse Lambert moved that the Board grant Dr. Volz a license to practice psychology with a specialty in School Psychology. The Board discussed the recommendation and the motion passed unanimously.

The Board conducted applicant file reviews over lunch.

COMPLAINT REVIEW/LEGAL MATTERS [LSA-R.S. 42.6.1]:

P14-15-11C – Dr. Zimmermann moved to table this matter due solely to the limited amount of time available for consideration of the matter. The motion passed by unanimous roll call vote of

the members present as follows: Zimmermann – yay, Burnett- yay, Griffin-yay, Lambert-yay and Boggs-yay.

OPEN MEETING:

Dr. Zimmermann opened the meeting to the public. Attending public hour were: Dr. Greg Gormanous, Ph.D., Dr. John Fanning, Tommy Hannie, Ph.D., Earl Willis (LPA) and Cindy Bishop, Executive Director for LPA.

COMMITTEE REPORTS:

Dr. Zimmermann requested reports from current standing committees:

Executive Director's Report:

Ms. Monic presented no report.

Finance Committee: Dr. Zimmermann reported that he and Ms. Monic had met with the Legislative Auditor and an Engagement Agreement to conduct an audit was executed. The Board will be required to secure an independent State approved CPA to conduct a Compilation and Agreed Upon Procedures. No financial statement was available for Board review.

Oral Examination Committee: No report.

Jurisprudence Examination Committee: The Board discussed revisions needed to Item 6 of the jurisprudence exam. Dr. Zimmermann agreed to make necessary revisions.

Legislative Oversight Committee: Dr. Burnett discussed ongoing considerations regarding the APA Code of Ethics vs. ASPPB Code of Conduct. Visitor, Dr. Fanning requested to go on record, representing the Louisiana Psychological Association (LPA), that LPA strongly favors APA's standards over ASPPB's.

Liaison to Professional Organizations and Boards: Dr. Burnett reported on her attendance at ASPPB's 50th Annual Meeting held October 7-11, 2015. She summarized that they ASPPB had reviewed their budget and conducted elections; discussed issues such as residency requirements, accreditation, prescription privileges, ASPPB's Telepsychology Guidelines, specialty requirement issues, development of a PsyPAC to facilitate practice across state borders, and guidelines for supervision. Dr. Burnett also reported that Ms. Sharon Lightfoot with ASPPB approached her about facilitating participation by Louisiana's licensees in a practice survey. The Board discussed the matter and agreed they would look at sending this information with renewals and requesting voluntary participation in the survey.

Continuing Education: No new report.

Supervision/Credentials Review:

Drs. Griffin reviewed the application for licensure of **Troy Martinez, Psy.D.** via reciprocity with Texas. Dr. Griffin presented that the file was complete and moved to invite Dr. Martinez for a face-to-face interview for licensure. The Board discussed the motion. The motion passed unanimously.

Drs. Griffin reviewed the application for licensure of **Shannon Peck, Ph.D.** via reciprocity with Texas. Dr. Griffin presented that the applicant needed to complete the Jurisprudence Examination to complete her application. Dr. Griffin moved to invite Dr. Griffin for a face-to-face interview for licensure, upon receipt of passing Jurisprudence Examination. The Board discussed the motion. The motion passed unanimously.

Drs. Griffin reviewed the applications for licensure of **Callie Brockman, Ph.D., Katherine Chenier, Ph.D., Victoria Tomassetti-Long, Ph.D., Dane Caruso, Psy.D., Abigail Lambert, Ph.D.,** and **Alyse Blanchard, Ph.D.** Dr. Griffin presented that their files were complete and recommended that their candidacy status be confirmed and that they be invited for an oral examination for licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Griffin reviewed the Temporary Registration for **Dr. Richard Frederick.** Dr. Griffin presented that the requirements for temporary practice had been provided and recommended that Dr. Frederick's Temporary Registration be approved. The motion passed unanimously.

Complaints Committee: No report.

Long Range Planning: The Board brought Ms. Monic up to date on plans for the LRP Meeting to occur on November 19, 2015; the need to secure a meeting room at the Municipal Association Building; and the need to facilitate invitations to the LA Psychological Association, LA Academy of Medical Psychologists, the LA School Psychological Association as well as former board members. They additionally discussed the details of dinner or a formal awards ceremony the evening of the 19th. Ms. Monic requested, due to her current workload and also the unavailability of the outgoing Chair, that the Board should cater lunch at the LRP Meeting for their social and postpone the Awards ceremony to a later date. The Board agreed without objection.

LBAB Liaison Report: Dr. Burnett reported that she had attended the Behavior Analyst meeting on September 22, 2015. She reported that the BA Board reviewed their election rules and that the majority of their meeting was reviewing applications for behavior analysts and line technicians. She also reported that the BA Board requested Ms. Monic assist with training for their incoming Executive Director, Rhonda Boe if there were not objection by the LSBEP. Ms. Monic had no objection to assisting, as they currently maintain a collaborative work environment if the degree of work required becomes excessive, Ms. Monic may request some compensation from the BA Board.

Professionalism Workgroup: No new report.

LSBEP Education & Outreach: No new report.

DISCUSSION ITEMS

NFCU Resolution to add signatories – The Board discussed current signatories on the Neighbors Federal Credit Union. Dr. Zimmermann moved that that Ms. Monic facilitate removal

of all signatories except Marc L. Zimmerman, Chair; Darla M.R. Burnett, Vice Chair; and, Jaime T. Monic, Executive Director. The motion passed unanimously.

Further to this matter, the Board was presented with, reviewed and approved without objection, the Neighbors Federal Credit Union (NFCU) Business Accounts Organization Resolution authorizing Ms. Jaime Monic to act as “Secretary of the Company” for the purpose of facilitating the approval of signatories, authorizing NFCU to honor and pay and charge the accounts any checks, drafts, notes or other orders for payment, withdrawal or transfer of funds or money deposited (electronic or otherwise) based on the signatories approved by the LSBEP; hold harmless NFCU for actions taken by NFCU based on Authorized Signatories; the resolution shall continue in full force and effect until written notice of revocation from LSBEP; and, authorization for the Secretary from time to time add or remove one or more persons who are Authorized Signatories to the signature card and that NFCU shall be entitled to rely upon such statement until it receives a later statement of such person or persons changing such names.

Update Committee Co-chairs – Dr. Zimmermann asked to follow up on this matter, he believed appointments were made subsequent to this meeting.

Renewals and Reinstatement Applications – Ms. Monic updated the Board that upon her taking over the ED position, approximately 90 psychologists had not renewed their license for the 2015-16 FY. She informed them that she made a decision to send notices via email and open renewals online to extend the renewal period without penalty. To date, 60 psychologists had yet to renew, which was still excessive for a typical renewal season. However, prior to her arrival, between 3 and 6 psychologists had reinstated their license (with penalty). Ms. Monic requested to refund those individuals the penalty amount since others have been granted an extension to renew without penalty. Dr. Zimmermann moved in favor of the recommendation. The motion passed unanimously.

Further, Ms. Monic informed the Board that it is policy that lapsed letters be mailed upon the close of the renewal season. This did not happen. She suggested mailing certified notices to the 60 psychologists who had not renewed noticing them of the lapsed status of their license and giving them 2 weeks to renew their license without penalty in light of the turnover in administration; the turnover in office employees and the technical difficulties incurred during this renewal period. Dr. Zimmermann moved in favor of the recommendation. The motion passed unanimously.

CPA Procurement for Compilation: Legislative Auditor Approved List – The Board reviewed the list of state approved CPA’s to perform the Board’s compilation. Dr. Burnett moved that Ms. Monic contact at least three for quotes and collaborate with Dr. Zimmermann to select a CPA. The motion passed without objection.

Attorney General RE LSBEP’s Nomination and Elections Process – The Board reviewed the response drafted in reply to a request for an Attorney General Opinion (No. 09-17-15) “LPA Elections, LSBEP Inteferece and Control, Background” posed by Susan Dardard, Ph.D., Co-Chairman of LPA Protection of Psychology Committee. This request concerns LSBEP’s Nominations and Elections Process. Dr. Zimmermann indicated that our response did not

address Dr. Dardard's statement to the AG that "The LPA Executive Council voted "no confidence" in the LSBEP." Dr. Zimmermann provided evidence to the LSBEP that indicated the statement was distorted, but did not believe it would be necessary to revise the letter to address that statement. Dr. Griffin strongly objected to not addressing the issue in our response. Dr. Fanning stated that the issue was discussed and a motion passed though it did not use the words "no confidence". Mr. Earl Willis spoke on behalf of LPA stating that "the discussion by LPA was that we did not have confidence in the Board's willingness to work with us on the election process. We were greatly dismayed by the course of actions which the Board took regarding the elections and we had concerns that LSBEP was not following the law regarding LPA's role in the elections. Thus we thought it necessary to get an AG opinion on this before we decided how to proceed..." Dr. Tommy Hannie suggested that LPA should clarify their response. After some discussion, Dr. Zimmermann moved that Dr. Burnett work with Ms. Monic to further revise our response to the AG that there was some distortion of facts provided in Dr. Dardard's request and further that the email response indicating the actual motion be attached in support. The motion passed unanimously.¹

Emergency Rule Update – Ms. Monic reported that the Emergency Rule concerning Elections would need to be filed as a Notice of Intent and that she would begin the process.

Simply Voting Annual Renewal – Dr. Burnett recommended the Board consider renewing its contract with Simply Voting for a Single Election Plan, which would cost \$388 vs. a 1 year plan at \$647. Dr. Fanning objected to the Board handling elections and challenged that LPA should be the entity to conduct elections. Dr. Burnett addressed Dr. Fanning stating that LSBEP was required to conduct the election where LPA terminated the Cooperative Endeavor Agreement with the Board. Dr. Fanning disagreed that LPA refused to conduct the election. Dr. Burnett responded by reading the email from Dr. Fanning wherein LSBEP was given sixty days notice to terminate the election agreement and further that "LPA shall continue to report the results of the LSBEP elections to the governor. We suggest a joint task force between LPA and LSBEP to develop procedures for future LSBEP elections that would not involve LPA conducting LSBEP elections." Dr. Burnett also stated that there was an AG Opinion that required LSBEP to conduct elections if LPA did not.²

The discussion was redirected to the Simply Voting contract. Dr. Zimmermann moved to accept Dr. Burnett's recommendation. The motion passed unanimously.

Awards Ceremony – This matter was addressed under committee reports.

¹ NOTE: Per LSBEP's sign in sheet for this meeting Cindy Bishop requested to comment on this matter however she arrived at 3:40PM well after discussion and decisions occurred.

² No. 06-0014 the Attorney General Opinion clarifies that "...The statute merely mandates that the LPA provide a list of members eligible for appointment as a result of an election...Thus, it seems that if the LPA does not hold this election, the burden of conducting this statutorily mandated election would fall to the Board anyway..."

Code of Conduct for Psychologists – This matter was discussed somewhat in committee reports. Dr. Greg Gormanous spoke in favor of ASPPB’s Code of Conduct and also noted FARB’s Attorney, Dale Atkinson recommended that the Code of Ethics be written into the LA Administrative Code for Psychologists. Ms. Monic stated her uncertainty about the accuracy of that requirement. She educated the Board that prior to the last revision wherein the ethics code was referenced, LSBEP did have the APA code written into its rules. After being challenged because our rules outdated APA’s revision, the Board decided to reference rather than rewrite APA’s Ethics Code, the revision was not challenged by our legislative oversight committees.

Dr. Zimmermann requested that we obtain clarification from FARB of their recommendation. The motion passed without objection.

Dr. Griffin moved to approve and adopt the APA Code of Ethics as Louisiana standards of practice. The motion was not entertained. Dr. Zimmermann moved to table the matter for further discussion at the Long Range Planning meeting. Dr. Zimmermann’s motion passed by unanimous vote.

LSBEP prescription period on complaints – Dr. Zimmermann moved to table this matter for discussion at the Long Range Planning meeting. The motion passed without objection.

Continuing Education Chapter 8 -

a. Guidelines for facilitating redacting Emeritus Status and transitioning those individuals back on a regular reporting schedule – Ms. Monic requested information on how the Board intended on transitioning Emeritus Status licensees back to reporting CE. She suggested that the Board facilitate the same standards as new licensees when the Rules take effect in 2016, then for the 2016 reporting period, those licensees with even numbers would be required to report ½ of the required hours since the mandate would have been in place ½ of the reporting period. Dr. Zimmermann moved to accept the recommendation. The motion passed unanimously.

b. R. Mandal-Blasio inquiry RE Peer Consultation allowance – The Board reviewed this inquiry along with several others. Dr. Zimmermann moved to create a Continuing Education workgroup to look at the questions and determine what is confusing or contradictory in the new CE Requirements and report this information for future consideration.

Dr. Burnett moved to adjourn the meeting at 4:00 p.m. Dr. Zimmermann seconded the motion. The motion passed without objection.