

**MINNESOTA BOARD OF PSYCHOLOGY**  
**Minutes of the 463rd Meeting**  
**September 26, 2014**

**Members Present:** J. Leichter, S. Fischer, R. David, D. Fisher, R. Boughton, B. Stawarz, A. Versland., P. Stankovitch, C. Stiles.

**Members Absent:** None.

**Others Present:** A. Barnes, Executive Director; L. Campero, Asst. Executive Director; Scott Payne, Compliance Director; Josh Bramley, Compliance Specialist; Sara Boeshans, Assistant Attorney General.

Board Chair, J. Leichter, called the meeting to order at 10:29 a.m., in the conference room of the Rochester Public Library at 101 2nd St. SE., Rochester, Minnesota.

**EXECUTIVE SESSION**

The Board entered into Executive Session for the purpose of discussing disciplinary actions, in its quasi-judicial function, and approved motions from the Complaint Resolution Committees in the following matters:

A Stipulation and Consent Order, constituting a disciplinary action against the license of Michael Kogan-White, MA, LP (LP2974), for violation of rules regarding: unprofessional conduct; inability to practice psychology with reasonable skill and safety due to any mental or physical illness or condition; failure to provide a client access to records; failure to maintain the minimally required data in a record; failure to terminate a professional relationship; failure to itemize fees for all services. The license is conditioned as follows: participation in Health Professionals Services Program; consultation on record and file keeping, with quarterly reports to the Board from the consultant, for a minimum of 12 months; quarterly reports to the Board from the licensee. Upon completion of the terms and conditions of the Order, the licensee may petition the Board for removal of the conditions.

**PUBLIC SESSION**

**1. Adoption of the tentative agenda**

Board Chair, J. Leichter, requested the adoption of the tentative agenda by the full board.

R. Boughton moved, seconded by C. Stiles, to approve the Agenda of the September 26, 2014 Board meeting. Voting "aye": S. Fischer, R. David, D. Fisher, R. Boughton, B. Stawarz, A. Versland., P. Stankovitch, C. Stiles. Voting "nay": none. Abstentions: J. Leichter. There being eight "ayes" and no "nays" the motion carried.

## 2. Consent Agenda

The following items were presented for approval under the consent agenda:

### a. Licensure Report

#### **Licensed Psychologists:**

Under its delegated authority Board Staff approved the following applicants for Licensure:

LP #	NAME
5773	Amanda B. Brehm, Psy.D.,LP
5574	Karsten A. Byers, Psy.D.,LP
5775	Kevin R. Coleman, Psy.D.,LP
5776	Kara M. Goldman, Psy.D.,LP
5777	Krista J. Peterson, Psy.D.,LP
5778	Adam J. Ries, Psy.D.,LP
5779	Maria M. Riccardi, Psy.D.,LP
5780	Laura A. Davis, Ph.D.,LP
5781	Corine R. Hill, Psy.D.,LP
5782	Michelle A. LeRoy, Ph.D.,LP
5783	Ethan B. McCallum, Ph.D.,LP
5784	Katrina M. Bell, Ph.D.,LP
5785	Melissa L. Mattson, Ph.D.,LP
5786	Carrie B. Sweetser, Psy.D.,LP
5787	Lindsay T. Murn, Ph.D.,LP
5788	Julia S. Runde, Psy.D.,LP
5789	Patricia Castellanos, Ph.D.,LP
5790	Marchion J. Hinton, Ph.D.,LP
5791	Joshua A. Weiler, Psy.D.,LP
5792	Ashley R. Dillon, Ph.D.,LP

#### **Examination for Professional Practice in Psychology (EPPP):**

Under its delegated authority Board Staff approved the following applicants for admission to the Examination for Professional Practice in Psychology (EPPP).

Name
Lola Craer, Psy.D.
Kara Ann Richardson-Cline, Ph.D.

Jennifer Vencill, Ph.D.
-------------------------

**Professional Responsibility Examination (PRE):**

Under its delegated authority Board Staff approved the following applicants for admission to the Examination for Professional Responsibility Examination (PRE).

<b>Name</b>
Michael Peterson, Ph.D.
Joshua A. Weiler, Psy.D.
Tanya C. Adams, Ph.D.
Anthony T. Nichols, Ph.D.
Reiko Hirai, Ph.D.
Kara A. Richardson-Cline, Ph.D.
Jennifer L. Wilson, Ph.D.
Amy Swingle, Psy.D.
Erica Eisenman, Psy.D.
Grace E. Tramm, Psy.D.
Cassie M. Green, Psy.D.
Ryan R. Schafer, Psy.D.
Kristina Burgetova, Psy.D.
Carlo O.C. Veltri, Ph.D.

**b. CE Variance Report**

Under its delegated authority Board staff approved five six month continuing education variances for the following licensees pursuant to Minnesota Rules 7200.3860, D.

<b>LP #</b>	<b>NAME</b>
LP3533	Duke, Denise
LP4054	Hodgson, John
LP 1420	Rousseau, Rudolph
LP 1424	Thompson, Duane
LP 4726	Wolinski, Steven

**c. Administrative Committee Report:**

J. Leichter provided an oral summary of the last Administrative Committee meeting along with the written minutes. The Committee reviewed budget reports, grievances reports, and pending and threatened litigation. The committee also reviewed a request for approval of continuing education activities, board member roles and

responsibilities, as well as the upcoming performance review of the Executive Director.

**d. Rules Committee Report:**

The Rules Committee following the Board and Administrative committees meetings on September 26, 2014. The committee discussed its new structure under the new chair, Dr. Raja David, Psy.D., LP. Set dates for the next two meetings, and reviewed the progress of the current revision of the rules.

**e. Board Terminations**

LP #	Name	Expired Date
LP1220	Dickinson, Margaret	6/30/2014

**f. HPSP Report:**

The Board reviewed the HPSP Monthly Case Allocation Report.

D. Fisher moved, seconded by B. Stawarz, to approve the Consent Agenda. Voting "aye": S. Fischer, R. David, D. Fisher, R. Boughton, B. Stawarz, A. Versland. Voting "nay": none. Abstentions: J. Leichter. There being six "ayes" and no "nays" the motion carried.

**3. Executive Director's Report**

Executive Director, A. Barnes, provided the Board with a revenues update along with an update on the new database project.

**4. PRE Committee Report**

The PRE committee has completed its e-learning modules. The modules include specific scenarios for applicants, licensees, or the public to work through by watching a dialog between simulated individuals. The participant is then given the opportunity to select an answer from a number of item stems. Along with the correct answer, the participant is then given an explanation of why the answer is correct and the proper citation to administrative rule or law. Additionally, resource links are included in the scenarios to enable the participant to link directly to the administrative rule or law text on the Revisor's Website.

**5. Delegation of Authority Policy**

Executive Director, A. Barnes, provided Board members with an updated copy of the Board's Delegation of Authority Policy. A. Barnes reviewed the policy and its components.

R. Boughton moved, seconded by C. Stiles, to approve the Delegation of Authority policy. Voting "aye": S. Fischer, R. David, D. Fisher, R. Boughton, B. Stawarz, A. Versland.,

P. Stankovitch, C. Stiles. Voting "nay": none. Abstentions: J. Leichter. There being eight "ayes" and no "nays" the motion carried.

## 6. Practice Issues: Hypnosis

The Board discussed the issue of the practice of hypnosis by unlicensed individuals.

The question was presented recently whether individuals who set up practice using hypnosis require specific education, training and experience and whether the Board wishes to pursue the fact that the practice of hypnosis is the practice of psychology.

This would not involve any of the health related fields that are currently regulated and include hypnosis in their legal scope of practice. The question is posed directly to those practicing without a license.

"No person shall engage in the independent practice of psychology unless that person is licensed as a licensed psychologist." Minn. Stat. 148.907, Subd. 1. "Independent practice," means the practice of psychology without supervision. Minn. Stat. 148.89, Subd. 3. The practice of psychology is defined by law and means:

*Observation, description, evaluation, interpretation, or modification of human behavior by the application of psychological principles, methods, or procedures for any reason, including to prevent, eliminate, or manage symptomatic, maladaptive, or undesired behavior and to enhance interpersonal relationships, work, life and developmental adjustment, personal and organizational effectiveness, behavioral health, and mental health. The practice of psychology includes, but is not limited to, the following services, regardless of whether the provider receives payment for the services:*

*(1) psychological research and teaching of psychology;*

*(2) assessment, including psychological testing and other means of evaluating personal characteristics such as intelligence, personality, abilities, interests, aptitudes, and neuropsychological functioning;*

*(3) a psychological report, whether written or oral, including testimony of the provider as an expert witness, concerning the characteristics of an individual or entity;*

*(4) psychotherapy, including but not limited to, categories such as behavioral, cognitive, emotive, systems, psychophysiological, or insight-oriented therapies; counseling; hypnosis; and diagnosis and treatment of:*

- (i) mental and emotional disorder or disability;*
  - (ii) alcohol and substance dependence or abuse;*
  - (iii) disorders of habit or conduct;*
  - (iv) the psychological aspects of physical illness or condition, accident, injury, or disability, including the psychological impact of medications;*
  - (v) life adjustment issues, including work-related and bereavement issues;*  
*and*
  - (vi) child, family, or relationship issues;*
- (5) psychoeducational services and treatment; and*
- (6) consultation and supervision.*

See, Minn. Stat. 148.89, Subd. 5.

Psychotherapy is defined as, "the professional treatment, assessment, or counseling of a mental or emotional illness symptom, or condition." Minn. Stat. 609.341, Subd. 18 (emphasis added). However, this definition may be limited to application in Chapter 609, which is a criminal code.

While psychotherapy, assessment, and hypnosis are considered the practice of psychology by definition, Minnesota law also provides for additional scopes of practice that can include psychotherapy, assessment and hypnosis with another form of occupational health license. See, Minn. Stat. 148.171 (including psychotherapy in the definition of a clinical nurse specialist practice); Minn. Stat. 148B.29, Subd. 3 (including psychotherapy as a part of marriage and family therapy practice); Minn. Stat. 148E.010, Subd. 6 (including psychotherapy as a part of the definition of "clinical practice," for licensed social workers); Minn. Stat. 245.462, Subd. 8 (stating day treatment consists of group "psychotherapy"...provided by a multidisciplinary staff); Minn. Stat. 256B.0625, Subd. 5 (defining medical assistance coverage for community mental health center services to be provided by a provider under clinical supervision of a mental health professional who is licensed).

It is also of note that the Board of Medical Practice in Minnesota includes an explicit exemption from its Practice Act, Minn. Stat. 148.081, keeping it out of the regulation of that Board for:

(9) Any person licensed by a health-related licensing board, as defined in section 214.01, subdivision 2, or registered by the commissioner of health pursuant to section 214.13, including psychological practitioners with respect to the use of hypnosis, provided the person confines the activities within the scope of the license. See, Minn. Stat. 148.081, Subd. 9.

The exemptions for practice focus on allowing for practice across scopes but not for independent and unlicensed individuals. The Department of Health does investigate complaints and take enforcement or disciplinary actions against all unlicensed complementary and alternative health care practitioners for violations of prohibited conduct, Minnesota Statutes 146A.08, subdivision 1 lists out the prohibited conduct which is very similar to a practice act, with similar consequences, absent the actual license.

Should the Board review this further, they may wish to consider individuals practicing "biofeedback," absent training, education, and licensure. Examples of use of this in the State that staff have observed include, a Electroencephalography (EEG) Certified Trained Clinician.

## **7. 2015 Board Meeting and Committee Calendar**

### Board Meeting Dates

January 23, 2015  
February 20, 2015  
March 20, 2015  
May 22, 2015  
June 26, 2015  
August 21, 2015  
September 25, 2015 (Greater MN Board Mtg. TBD)  
October 30, 2015  
November 20, 2015  
December 18, 2015 (Holiday Party & Elections)

### Application Review Committee Dates

January 16, 2015  
February 13, 2015  
March 13, 2015  
April 17, 2015  
May 15, 2015  
June 19, 2015

July 24, 2015  
August 14, 2015  
September 18, 2015  
October 23, 2015  
November 13, 2015  
December 11, 2015

CRC I Meeting Dates

February 13, 2015  
April 10, 2015  
June 12, 2015  
August 14, 2015  
October 9, 2015  
December 4, 2015

CRC II Meeting Dates

January 9, 2015  
March 6, 2015  
May 8, 2015  
July 10, 2015  
September 11, 2015  
November 6, 2015

P. Stankovitch moved, seconded by R. Boughton, to approve the 2015 meeting calendar. Voting "aye": S. Fischer, R. David, D. Fisher, R. Boughton, B. Stawarz, A. Versland., P. Stankovitch, C. Stiles. Voting "nay": none. Abstentions: J. Leichter. There being eight "ayes" and no "nays" the motion carried.

**8. Board Elections**

The Board holds its election of officers each year at its regularly scheduled December Board meeting, this year that date is **December 19, 2014**.

As discussed during the 2012 Strategic Plan, it is a goal of the Board to pursue continuity in the election of officers to promote stability within the organization. All members are encouraged to consider serving as an officer of the Board however, it is desirable to not have a complete turn-over of the entire Administrative Committee every year. Members considering serving as a Board officer should consider whether they would be willing to serve more than a one year term.

The Board Committee structure is described below.

## **Board Leadership & Elections**

The Board elects its own leadership and is under no statutory or administrative rule or bylaw obligation to do so. Historically, the Board has had three officer positions which are elected in December annually. There are no term limits on Board leadership roles. The three roles and their subsequent responsibilities are:

**Board Chair.** The Board Chair is the Chair of the Board and the Administrative Committee. The Chair is responsible for the decisions of the Board, can speak on behalf of the Board if authorized, sets a yearly initiative, and takes overall responsibility for the performance and functions of the Board. The Chair, in conjunction with the Executive Director sets the monthly Board meeting agendas, and runs all Board meetings. The Chair is the direct supervisor of the Executive Director and serves as a mentor and consultant to the Executive Director on complex human resource, fiscal, policy, and legal matters of the Board. The Board Chair is also responsible for all Board committee appointments.

**Board Vice Chair.** The Board Vice Chair is the second officer on the Administrative Committee. The Vice Chair steps into the position of the Chair in his or her absence. The Vice Chair is a personnel, consultant, and mentor to the Executive Director as a member of the Administrative Committee.

**Board Secretary.** The Board Secretary is the third officer on the Administrative Committee. The Secretary is charged with ensuring that there are minutes of the regularly occurring Board meetings. The Secretary is a personnel, consultant, and mentor to the Executive Director as a member of the Administrative Committee.

## **Elections**

The Board has an election during its December Board meeting each year to elect its officers. Any member of the Board may run for any Board officer position. Elections are processed by anonymous ballot, and run-offs have traditionally addressed any vote that resulted in a tie. The Executive and Assistant Directors are responsible for counting and announcing the election results.

## **9. Adjournment**

P. Stankovitch moved, seconded by C. Stiles, to adjourn the meeting. Voting "aye": S. Fischer, R. David, D. Fisher, R. Boughton, B. Stawarz, A. Versland., P. Stankovitch, C. Stiles. Voting "nay": none. Abstentions: J. Leichter. There being eight "ayes" and no "nays" the motion carried.

Meeting adjourned at 12:05 p.m.

Respectfully submitted,

RAJA DAVID, Psy.D., LP  
Board Secretary