

MINNESOTA BOARD OF PSYCHOLOGY

Minutes of the 398th Meeting

April 18, 2008

Members Present: S. Hayes, G. Jensen, J. Lee, T. Nguyen-Kelly, M. Seibold, T. Thompson, S. Ward, and J. Wolf

Members Absent: M. Fulton and J. Romano

Others Present: N. Hart, Assistant Attorney General

PUBLIC SESSION

Board Chair, T. Thompson called the public session of the meeting to order at 10:08 AM, in the Psychology Board Conference Room, at 2829 University Avenue Southeast, Minneapolis, Minnesota, and a quorum was declared present.

1. Minutes of the Board Meeting of February 29, 2008.

S. Hayes moved, seconded by J. Wolf that the minutes of the Board meeting of February 29, 2008 be approved as submitted. Voting “aye”: S. Hayes, J. Lee, T. Nguyen-Kelly, M. Seibold, S. Ward, and J. Wolf. Abstaining: G. Jensen. Voting “nay”: none. There being six “ayes” and no “nays”, motion carried.

2. Administrative Matters.

- a. **CoA Residency Requirements.** The Association of State and Provincial Psychology Boards (ASPPB) provided a copy of its minutes of the October and December 2007 Board of Director’s meetings for the information of the Board.

At its February 29, 2008 meeting, the Board discussed ASPPB’s agenda item on *CoA Residency Requirements*. ASPPB’s minutes stated that

...the APA Commission on Accreditation (CoA) has adopted an amended version of the proposed Implementing Regulation on residency for doctoral programs. ASPPB will continue to monitor this issue.

The Board discussed the item and determined that the Application Review Committee (ARC) in particular and the full Board should research and monitor this issue. The Board instructed staff to obtain a copy of the CoA Residency Requirements for review by the ARC and the Board. The document was presented to the Board for its review and discussion.

The Board discussed the fact that its proposed amendment to Minnesota rules would require 36 semester hours in residence. Current rules state that an applicant who graduated from an

APA accredited program is deemed to have met Minnesota's educational requirements for licensure. The **Academic Residency for Doctoral Programs**, taken from the *Guidelines and Principles for Accreditation of Programs in Professional Psychology*, Section III A, Domain A.4 states that psychology doctoral students must have "a minimum of 3 full-time academic years of graduate study—at least 2 of which must be at the institution from which the doctoral degree is granted and at least 1 year of which must be in full-time residence or the equivalent thereof."

N. Hart observed that in light of this information, the MN. Board should make certain that its proposed new residency rule fits within the APA's guidelines, because the Board accepts APA accredited programs as meeting its educational requirements. If APA's residency requirements are more or less than Minnesota's, the Board would never be able to enforce its own residency rule.

M. Seibold moved, seconded by S. Hayes that the Rules Committee look into this matter and make a recommendation to the Board to resolve any differences between APA's guidelines and the proposed new Minnesota rule. Voting "aye": S. Hayes, J. Lee, T. Nguyen-Kelly, M. Seibold, S. Ward, and J. Wolf. Voting "nay": G. Jensen. There being six "ayes" and one "nay", motion carried.

- b. **Administrative Committee Update.** The Administrative Committee met on Friday, March 28, 2008 to discuss plans for a search for the Board's new Executive Director. T. Thompson updated the Board on the meeting. The Committee is working on a time table so that the new Director can be hired approximately one month before the current Director's last day with the Board. The Search Committee has been named and will include the members of the Administrative Committee (T. Thompson, Board Chair, G. Jensen, Board Vice Chair, and T. Nguyen-Kelly, Board Secretary) plus Past-Chair, M. Seibold and Past-Secretary, S. Hayes. In response to a member's question, N. Hart informed the Board that there are some meetings during the hiring process that are not public meetings. He recommended that staff obtain information from the MN. Board of Social Work, which recently conducted a search for its new Executive Director. Mr. Hart was involved with that Board in researching the same question.
- c. **Rules Committee Update.** P. Walker-Singleton consulted with the Revisor working on the Board's draft rules. She stated that she had to suspend work on the draft during session. She expects to resume working on the Board's rules in mid to late May.
- d. **SF3813—Omnibus Supplemental Appropriations Bill.** P. Walker-Singleton reported that the Omnibus Supplemental Appropriations bill has the following provisions that affect the Psychology Board:
 - 1. A \$2.2 million transfer from the Special Revenue Fund to the state's general fund in order to balance the general fund budget deficit. The exact amount of the Board's contribution has not been calculated, but staff will report the amount as soon as it is determined.
 - 2. A Statewide Electronic Licensing System Surcharge of \$5 per licensee to be collected from July 1, 2008 to June 30, 2011. The money will go into the general fund until June 30, 2009. Following that date, the money will be credited to a statewide electronic licensing system account in the special revenue fund. That money will be used by the

Office of Enterprise Technology to develop and implement the statewide electronic licensing system.

P. Walker-Singleton believes that because of the nuances and of psychology licensing, the Board of Psychology may not be able to develop a totally electronic licensing system.

- e. **Minnesota Psychological Association's (MPA) Friday Forum.** On Friday, April 4, 2008, MPA sponsored a Friday Forum, entitled *Management of Complaints to Licensing Boards: An Overview of the Ways that Different Licensing Boards Manage Complaints Against Licensees*. The continuing education activity was the creation of Charmé S. Davidson, PhD, LP and was moderated by Jack B. Schaffer, PhD, LP. N. Hart gave a presentation on how the mental health licensing Boards investigate complaints and P. Walker-Singleton along with Robert Butler, ED of the Board of Marriage and Family Therapy and Sheryl McNair, Assistant ED of the Board of Social Work responded to questions from the audience.
- f. **Meeting with MPA Regarding HF3251/SF3416.** On Friday, March 21, 2008, T. Thompson, J. Schaffer, and P. Walker-Singleton met with Trisha Stark, PhD, LP, MPA's Director of Professional Affairs at the Board office. Steve Vincent, PhD, LP, MPA's Legislative Committee Chair joined the meeting via speaker phone. The meeting was called by Dr. Stark who wanted to discuss MPA's bill to expand the scope of practice for psychologists.

The original language of the bill reads,

...if competent to do so, licensed psychologists may discuss prescription or nonprescription medications and their effects with a client, the client's physician or other prescribing health care providers, or in a report. A licensed psychologist may discuss with a client, or in a report, specific medications by trade or generic name or dosage, and discuss the discontinuation of medications.

The language was later changed by MPA to read,

Licensed psychologist may discuss prescription or nonprescription medications and their effects with a client, the client's physician or other prescribing health care providers, or in a report. A licensed psychologist may discuss with a client, or in a report, specific medications by trade or generic name or dosage.

MPA stated that it is trying to codify what Licensed Psychologists are already doing. Dr. Stark stated that this is not a precursor to prescription privileges for psychologists. Board representatives explained why either version of the language was problematic from the regulatory perspective. The Board has conducted no study of either prescription privileges for psychologists or medication management by psychologists. The field of psychology has not established guidelines; therefore, there are no standards by which to measure competency. The public is not protected by granting the above privileges to psychologists, especially in the second version of the bill, which allows the possibility that all licensed psychologists can influence the management of serious psychotropic and other medication prescribed by others, with or without competency.

The group also spent time discussing the two organizations—MPA and the Board—and their relationship. Each organization agreed that it should be possible to maintain a respectful, cooperative and consultative relationship despite the differing missions: (MPA) to advocate for the profession; (Board) to protect the public. Everyone agreed that the line of communication should be open.

On April 2, 2008, the Board received a letter from Drs. Stark and Vincent thanking the Board representatives for the discussion. The letter acknowledged that the Board does not support the bill, but stated that the organization will continue to “work for our bill.”

- g. Psychologists and Prescribing.** In response to the introduction of HF3251/SF3416, originated by MPA and discussed in item 2f above, J. Lee requested that the Board discuss the matter in a Board meeting. Mr. Lee led a discussion of his proposal that the Board conduct a study of the issue of psychologists and prescriptions. He believes that the study should focus on collecting data from other jurisdictions, obtain opinions from the public, and invite input from special interest groups.

The Board’s discussion established that there is data already in existence on psychologists and prescribers and medication managers and Board members should educate themselves about the issue individually before the Board embarks on a project. Some Board members believe that the Board needs to eventually take a position on the issue, while others believe that it is more appropriate to reserve taking a position until it knows more about future proposals. Clearly, there are no standards as to education, training and experience to provide a basis for regulation and before expanding the scope of practice for psychologists, it would be fitting for the Board to work within the profession to establish such standards. However, members feel that the Board should keep abreast of the issue and should study data that is currently available. If a proposal is advanced that does not adequately protect the public, it is appropriate for the Board to oppose it on that basis.

- h. ASPPB’s Call for Officers and Award Nominees.** Each year, the Association of State and Provincial Psychology Boards (ASPPB) requests from member Boards, nominations for vacant seats on its Board of Directors and for awards as an ASPPB fellow, the ASPPB State and Provincial Service Award (formally the Roger C. Smith Award), the Norma P. Simon Award, and the Ming Fisher Award. Former Minnesota Board of Psychology member and current Rules Committee Chair, J. Schaffer, PhD, LP is completing his third year as a Member-at-Large on the ASPPB Board of Directors.

G. Jensen moved, seconded by J. Wolf that the Minnesota Board of Psychology nominate J. Schaffer for ASPPB’s President-Elect. Voting “aye”: G. Jensen, J. Lee, T. Nguyen-Kelly, M. Seibold, S. Ward, and J. Wolf. Voting “nay”: none. There being six “ayes” and no “nays”, motion carried unanimously.

Letters of nomination will be sent from the Board Chair, T. Thompson and from P. Walker-Singleton.

3. Waivers/Variances.

- a. Each of the following licensees requested approval of a six-month time-limited variance to complete requirements for continuing education (CE). Each licensee has submitted the required CE plan in compliance with MN Rule 7200.3400, subpart 2.

Anders, Mary A., MA, LP	LP3976	03-31-08
Brown, Peter C., PhD, LP	LP0801	02-29-08
Dittrich, Connie, MA, LP	LP3987	03-31-08
Friedmann, Michele T., MA, LP	LP3416	02-29-08
Kirkman, Ann M., MA, LP	LP3456	03-31-08
Norby, Robyn M., MA, LP	LP3445	03-31-08
Rambeck, Lynn J., PsyD, LP	LP0840	02-29-08
Rutter, Roxanna L., PhD, LP	LP3040	01-31-08
Schake, Michael R., MA, LP	LP0847	02-29-08
Simonson, Daniel P., MA, LP	LP3450	03-31-08

G. Jensen moved, seconded by S. Ward that the variance requests be approved on the basis that the licensees met the burden to prove that adherence to the rule would impose an undue burden on the licensees, that granting the variances will not adversely affect the public welfare, and that the alternatives proposed met the rationale for the rule. Voting “aye”: G. Jensen, J. Lee, T. Nguyen-Kelly, M. Seibold, S. Ward, and J. Wolf. Voting “nay”: none. There being six “ayes” and no “nays”, motion carried unanimously.

- b. Diane L. Davis, MA, LP (LP0774) requested a waiver of the late renewal fee. J. Wolf moved, seconded by M. Seibold that the waiver request be approved on the basis that the licensee met the burden to prove that adherence to the rule would impose an undue burden on the licensee, that granting the waiver will not adversely affect the public welfare. Voting “aye”: J. Lee, M. Seibold, and J. Wolf. Voting “nay”: T. Nguyen-Kelly and S. Ward. Abstaining: G. Jensen. There being three “ayes” and two “nays”, motion carried.
- c. Jill Dahmen, MA, LPP requested a variance under MN. Stat. 148.925, subd. 7 for the purpose of applying for the reimbursement allowed by the Department of Human Services. Ms. Dahmen met the requirements of subdivision 7(b), including completion of two full years of post-master’s degree supervised employment.

Application Review Committee moved approval on the basis that the licensee met the burden to prove that adherence to the rule would impose an undue burden on the licensee, that granting the variance will not adversely affect the public welfare, and that the alternative proposed met the rationale for the rule. Voting “aye”: G. Jensen, J. Lee, T. Nguyen-Kelly, M. Seibold, S. Ward, and J. Wolf. Voting “nay”: none. There being six “ayes” and no “nays”, motion carried unanimously.

4. Admit to EPPP.

Application Review Committee moved that the following applicants be admitted to the national standardized examination on the basis that Applicants’ degrees meet the educational requirements for licensure. Voting “aye”: G. Jensen, J. Lee, T. Nguyen-Kelly, M. Seibold, S.

Ward, and J. Wolf. Voting “nay”: none. There being six “ayes” and no “nays”, motion carried unanimously.

07C-239	07C-213	07C-230	07C-195
07C-241	07C-209	07C-234	07C-223
07C-208	07C-224	07C-232	

5. Admit to PRE.

Application Review Committee moved that the following applicants be admitted to the PRE on the basis that Applicants’ degrees meet the educational requirements for licensure. Voting “aye”: G. Jensen, J. Lee, T. Nguyen-Kelly, M. Seibold, S. Ward, and J. Wolf. Voting “nay”: none. There being six “ayes” and no “nays”, motion carried unanimously.

07C-218	07C-096	07C-238	07C-213
07C-119	07C-166	07C-068	07C-195
07C-231	07C-223	07C-182	07C-233

6. Approval of Conversion from LPP to LP Licensure.

Application Review Committee moved approval of the following applicant for conversion from Licensed Psychological Practitioner to Licensed Psychologist, based on the fact that Applicant complied with all requirements of Minn. Stat. 148.907, Subd. 5. Voting “aye”: G. Jensen, J. Lee, T. Nguyen-Kelly, M. Seibold, S. Ward, and J. Wolf. Voting “nay”: none. There being six “ayes” and no “nays”, motion carried unanimously.

LPP0105 Audrey Brandt-Loer, MA

7. Licensed Psychological Practitioner.

Application Review Committee moved that the applicant listed below be granted licensure as a Licensed Psychological Practitioner based upon a master’s degree, having performed successfully on both parts of the examination and having fulfilled all of the requirements of MN. Stat. 148.908. Voting “aye”: G. Jensen, J. Lee, T. Nguyen-Kelly, M. Seibold, S. Ward, and J. Wolf. Voting “nay”: none. There being six “ayes” and no “nays”, motion carried unanimously.

Jennifer Moran, MA

8. Licensure as Licensed Psychologists.

Application Review Committee moved that the applicants listed below be granted licensure as Licensed Psychologists based upon doctoral degrees, having performed successfully on both parts of the examination and having fulfilled all of the requirements of MN. Stat. 148.907, Subd. 2. Voting “aye”: G. Jensen, J. Lee, T. Nguyen-Kelly, M. Seibold, S. Ward, and J. Wolf. Voting “nay”: none. There being six “ayes” and no “nays”, motion carried unanimously.

Leslie Bautista, PsyD

Tony Sorensen, PsyD
Ramie Vetter, PsyD

9. Adjournment.

J. Wolf, seconded by M. Seibold that the meeting be adjourned. Motion carried unanimously.
The meeting adjourned at 11: 44 AM.

Respectfully submitted,

T. NGUYEN-KELLY
Board Secretary