

MINNESOTA BOARD OF PSYCHOLOGY

Minutes of the 418th Meeting

February 26, 2010

Members Present: M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, G. Jensen, S. Ward, C. Bonnell

Members Absent: S. Hayes

Others Present: A. Barnes, Executive Director, N. Hart, Assistant Attorney General

PUBLIC SESSION

Board Chair, G. Jensen, called the public session of the meeting to order at 9:06 a.m., in the Psychology Board Conference Room at 2829 University Avenue Southeast, Minneapolis, Minnesota, and a quorum was declared present.

1. Approval of the Minutes of the Board Meeting of January 22, 2010.

J. Brown moved, seconded by T. Thompson, that the minutes of the Board meeting of January 22, 2010, be approved as submitted. Voting "aye": M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, Voting "nay": none. Abstaining: G. Jensen, S. Ward, C. Bonnell. There being five "ayes" and no "nays", motion carried.

2. Administrative Matters.

a. Board Member Resignation

On Friday, February 12, 2010, Joseph Lee, MA, LP, submitted his voluntary resignation from the Minnesota Board of Psychology. The Governor's office and Secretary of State were notified in writing of his resignation. John Hultquist, Director of Judicial, Board and Commission Appointments, has indicated applications have been received for any open positions and those board members who are up for reappointment.

T. Thompson and T. Nguyen-Kelly spoke regarding J. Lee's resignation. T. Thompson requested additional information regarding correspondence with MPA. A. Barnes reported MPA submitted a letter to G. Jensen regarding J. Lee's Agreement for Corrective Action (ACA). The Board requested to review the MPA correspondence, which was provided to the Board by A. Barnes. C. Bonnell inquired into the nature of Administrative Committee meetings.

T. Thompson made a statement regarding J. Lee's resignation.

EXECUTIVE SESSION

G. Jensen moved to close the meeting for Executive Session at 9:12 a.m. to discuss a disciplinary matter, closed session concluded at 9:40 a.m.

b. Staff Update

The office manager position was changed to an “in-office” position effective March 1, 2010. All Board staff are scheduled to complete the Minnesota Analysis and Development (MAD) training on March 16, 2010 on the process of change and transitions and how to effectively navigate change.

c. Budget Update

The Governor has requested that all state agencies begin holding back 3 percent of unspent operating funds for the remainder of the biennium. Agencies, including the Board have taken immediate steps to reduce operating expenditures and reserve funds for possible use in solving the state’s current budget shortfall.

The Board of Psychology faces a \$15,837 cut in FY 2010 and a \$24,450 cut in FY 2011. On February 2, 2010, along with Kate Zacher-Pate of the Board of Social Work and Dr. Larry Spicer of the Chiropractic Examiners Board, correspondence was drafted to Jim Schowalter, State Budget Director on behalf of all Health Licensing Boards (HLBs) in an effort to point out that we are core state public safety programs, and should be exempt from the 3 percent hold back.

On February 12, 2010, the Finance Committee for Health and Human Services Budget Division, chaired by Senator Linda Berglin requested testimony from all of the HLBs regarding the impact of the Governor’s budget cuts on the Boards. On February 16, 2010, A. Barnes testified before the Committee on behalf of the Board.

In general, the Committee was receptive to the plight of the Boards, and in particular, Senator Prettner-Solon made the impact on licensees clear, in terms of special assessments, and strongly asserted that licensing fees should not be taken and utilized in the general fund.

The Boards were asked to supply follow up data to the Committee in response to questions posed by the Senators, in particular Senator Lynch. The Committee was very interested in the number of full-time staff positions lost due to the cuts, reductions in services, and the ability to protect the public.

A. Barnes reported that out of state travel is being closely scrutinized by the legislature.

d. HPSP Report.

S. Ward provided the most recent report from the HPSP. Budget reductions, toxicology screens, and a discussion of the number of times a client can be referred to HPSP were all included in her report.

e. Legislative Committee

Board Chair, G. Jensen requested a Legislative Committee be considered and submitted a memorandum in connection with this discussion. G. Jensen and C. Bonnell comprise the Legislative Committee. The Committee will seek to operate in a proactive fashion and meet annually, beginning this fall to consider legislative issues and develop a legislative agenda to present to the Board.

f. Rules Committee Update

A. Barnes reported that the Rules Committee, comprised of T. Thompson and J. Schaffer, met on February 18, 2010 to review the Licensure Rules. The Committee is on page 8 of 25 in reviewing the Licensure Rules. N. Hart stated that the Committee is working to remedy issues that came to light following the installation of the new Executive Director and arose once the licensure process was exposed.

G. Jensen spoke to the history of the rules and pointed out that only S. Hayes remains of the Board members who approved the current proposed rules. G. Jensen also stated that the refinement of the rules has been ongoing since approximately 1997 and that the rules have improved. He advised that reviewing the rules on an annual or biannual basis or when new legislation is proposed, would prevent having such a large ongoing project in the future. G. Jensen directed the Committee to move ahead and to not seek to make the rules perfect, instead advised that the Committee should seek to make any additional modifications on the next review.

G. Jensen requested an update on the rules process and steps for moving forward. A. Barnes questioned whether the Committee was being asked to cease the work it was doing and reported that the licensure process underwent a legal audit and rewrite. N. Hart advised that “fundamental flaws” were identified during this audit with how the licensure process was being conducted under the previous administration which were perpetuated in the revised Licensure Rules. N. Hart recommended that the Committee continue to remedy these issues and stated that the remaining rules, definitions, continuing education, and rules of conduct, need not be revisited. N. Hart reiterated that these are serious problems and not “small fixes,” and cautioned that the law does not permit licensure to be conducted in the way that it was previously.

T. Thompson spoke in favor of remedying the fundamental flaws, and stated that a major obstacle to the rules revision has been removed.

C. Bonnell questioned whether the rules would be returned to the full board for final review and approval.

N. Hart advised that inherent in the Committee structure is the ability to make revisions to the rules that do not modify the meaning. The Committee is operating under the directive that the rules should be presented to the full board only when it makes substantial changes to the concept.

C. Bonnell requested that information packets containing the full language of all the rules be provided to the Board.

G. Jensen requested that the rules be brought back to the Board with a historical explanation, but that the rules process continues to move forward.

The Board requested to receive a presentation on the Rules in order to understand the content.

g. ASPPB Mobility Committee

The ASPPB Mobility Committee report from S. Hayes was tabled as S. Hayes was still present at the ASPPB Mobility Committee meeting during the February 26, 2010 board meeting.

h. Delegation of Authority for Licensed Psychologists

A. Barnes requested the Board delegate the authority to the Application Review Committee (ARC) to give final approval to applications for licensure for Licensed Psychologists under Minn. Stat. section 148.907. J. Wolf moved, to delegate the authority to the ARC to give final approval to applications for licensure for Licensed Psychologists, but the motion failed for lack of a second. The Board elected to receive summary of licensure data in the form of copies of the ARC preparation checklist for review on all applications for LP licensure.

i. ASPPB Call for Nominations for ASPPB Board Officers, ASPPB Fellows and Other ASPPB Awards

ASPPB made a call for nominations for the President-Elect, and 1st year Member at Large Board Officer positions on the Association's Board of Directors with the term beginning October 2010. ASPPB is also doing a call for nominations for the following awards: ASPPB Fellows, the ASPPB State and Provincial Service Award, the Norma P. Simon Award, and the Ming Fischer Award. The Board elected to make no nominations for 2010.

j. ASPPB 25th Midyear Meeting-2010

The Association of State and Provincial Psychology Boards (ASPPB) 25th Midyear Meeting will be held April 22-25, 2010 in Seattle, Washington. Based on the budgetary projections, Board staff recommended not providing the funding to support board member attendance at this conference. The Board considered sending one delegate, obtaining the materials for purchase, or utilizing the potential scholarship for one delegate available to ASPPB members. It was recommended that J. Brown consider attending this conference on individual funding due to the importance of the topic, which is distance education.

J. Brown volunteered to explore additional funding options from Argosy University for his attendance at the ASPPB 25th Midyear Meeting.

k. OET Surcharge.

A. Barnes reported on the OET Surcharge.

l. MPA Legislation: SF 2596

The Minnesota Psychological Association (MPA) with Senator Yvonne Prettnner-Solon in SF 2596, have proposed changes to the Psychology Practice Act in the following areas, Board of Psychology, Licensure for Volunteer Practice, Reciprocity, and Guest Licensure. Actual statutory language was provided for review and discussion. The Board reviewed each statutory provision separately and voted as follows:

J. Brown moved, seconded by J. Wolf to support the modifications to Minn. Stat. section 148.90, subd. 1. Voting “aye”: M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, S. Ward, C. Bonnell. Voting “nay”: none. There being seven “ayes” and no “nays”, motion carried unanimously.

M. Fulton moved, seconded by J. Brown to support the modifications to Minn. Stat. section 148.909, subd. 1. Voting “aye”: M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, S. Ward, C. Bonnell. Voting “nay”: none. There being seven “ayes” and no “nays”, motion carried unanimously.

J. Brown moved, seconded by J. Wolf to support the modifications to Minn. Stat. section 148.915. Voting “aye”: M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, S. Ward, C. Bonnell. Voting “nay”: J. Brown. There being seven “ayes” and one “nays”, motion carried.

T. Thompson moved, seconded by S. Ward to add to the modification of Minn. Stat. section 148.915 retaliatory language as supplied from Assistant Attorney General N. Hart. Voting “aye”: M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, S.

Ward, C. Bonnell. Voting “nay”: none. There being seven “ayes” and no “nays”, motion carried unanimously.

T. Thompson moved, seconded by J. Wolf to support the modifications to Minn. Stat. section 148.916, subd. 1. Voting “aye”: M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, S. Ward, C. Bonnell. Voting “nay”: none. There being seven “ayes” and no “nays”, motion carried unanimously.

C. Bonnell moved, seconded by J. Brown to support the modifications to Minn. Stat. section 148.916, subd. 1 with the following modification: “no unresolved disciplinary or nondisciplinary...” changed to “is of good moral character and has no pending complaints or active disciplinary or corrective actions in any jurisdiction.” Voting “aye”: M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, S. Ward, C. Bonnell. Voting “nay”: none. There being seven “ayes” and no “nays”, motion carried unanimously.

3. Waivers/Variations—CE Variance Report.

Under its delegated authority, Board staff and the Executive Director approved each of the following licensees for a six-month time-limited variance to complete requirements for continuing education (CE). Each licensee has submitted the required CE plan in compliance with Minn. R. 7200.3400, subp. 2:

Beyer, Pamela J., Psy.D., LP	LP0391	12/21/09
Gourdge, Nancy M., MA, LP	LP3912	01/31/10
Hilgers, Karen M., Ph.D., LP	LP0733	01/31/10
Penton, Jon M., MA, LP	LP0749	01/31/10
Senneseth, Barbara J., MA, LP	LP0758	01/31/10
Vogel, Virginia A., Psy.D., LP	LP0763	01/31/10

4. Request for Waiver of Late Renewal Fee

S. Ward moved, seconded by M. Fulton to deny the request from Mitchell, Karla L., MS, LP, LP3376 for a waiver of the late renewal fee under Minn. R. 7200.3500. Voting “aye”: M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, S. Ward, C. Bonnell. Voting “nay”: none. There being seven “ayes” and no “nays”, motion carried unanimously.

5. Licensure

a. Licensure as a Licensed Psychologist.

The 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 the requirements of Minn. Stat. section 148.907, subdivision 2. Voting “aye”: M. Fulton, T. Nguyen-Kelly, T. Thompson, J. Wolf, J. Brown, S. Ward, C. Bonnell. Voting “nay”: none. There being seven “ayes” and no “nays,” motion carried unanimously.

- Baker, Kathryn, Ph.D.
- Baker, Laiel, Ph.D.
- Daml, Claudia, Psy.D.
- Darveaux, Dion, Ph.D.
- Evenson, Elizabeth, Psy.D.
- Johnson, Janet, Ph.D.
- Nelson, Kristin, Psy.D.
- Perry, Kindra, Psy.D.
- Potokar, Danielle, Ph.D.
- Prowe, Derek, Psy.D.

6. Licensure Report

a. Conversion from Licensed Psychological Practitioner (LPP) to Licensed Psychologist (LP)

Under its delegated authority, on February 12, 2010, the Application Review Committee approved the conversion of the following applicants from LPP to LP licensure. The Licensed Psychological Practitioners listed below have complied with all of the requirements of Minnesota Statutes, section 148.907, subdivision 5.

- | | | |
|--------|--------|--------|
| 06-144 | 06-053 | 06-023 |
| 06-117 | 06-147 | 06-098 |

b. EPPP Admission

Under its delegated authority Board staff approved the following applicants who attended APA accredited programs, be admitted to the Examination for Professional Practice in Psychology (EPPP).

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|--------|--------|--------|--------|
| 09-173 | 09-164 | 09-166 | 09-093 |
| 09-175 | 09-180 | 09-150 | 09-119 |

c. PRE Admission

Under its delegated authority Board staff approved the following applicants be admitted to the Professional Responsibility Examination (PRE).

09-136 07-261 09-150 09-169
09-182 09-184

d. Emeritus Registration

Under its delegated authority, on February 12, 2010, the Application Review Committee approved Emeritus Registration for the following applicants, based upon fulfilling the requirements of Minn. Stat. section 148.9105.

LP4903 Gannett Lynn Pitkin, Ph.D., LP

The applicant, originally licensed as Ph.D., LP on September 6, 1985, completed an active career as a Licensed Psychologist, in good standing with the Board. Applicant retired January 31, 2010.

LP0810 Anne D. Graves, MA, LP

The applicant, originally licensed as MA, LP on February 21, 1986, completed an active career as a Licensed Psychologist in good standing with the Board. Applicant retired February 8, 2010.

7. Other Business

8. Adjournment.

M. Fulton moved, seconded by J. Brown that the meeting be adjourned. Motion carried unanimously. The meeting adjourned at 12:00 p.m.

Respectfully submitted,



SUSAN WARD
Board Secretary