

MINNESOTA BOARD OF PSYCHOLOGY**Minutes of the 424th Meeting****October 8, 2010**

Members Present: C. Bonnell, M. Fulton, J. Leichter, P. Orud, T. Thompson, S. Ward, J. Wolf, P. Stankovitch, G. Jensen.

Members Absent: J. Brown, S. Hayes

Others Present: A. Barnes, Executive Director, L. Campero, Assistant Executive Director, D. Lundstrom, Assistant Attorney General, T. Stark, Minnesota Psychological Association (MPA)

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. Adoption of the tentative agenda

Board Chair, G. Jensen, requested the adoption of the tentative agenda by the full board.

M. Fulton moved, seconded by J. Leichter to adopt the tentative agenda of the 424th meeting of the Minnesota Board of Psychology. Voting "aye": C. Bonnell, M. Fulton, J. Leichter, P. Orud, T. Thompson, S. Ward, J. Wolf, P. Stankovitch. Voting "nay": none. Abstention: none. There being nine "ayes" and no "nays" motion carried.

2. Approval of the Minutes of the Board Meeting of September 3, 2010.

P. Stankovitch moved, seconded by T. Thompson to approve the minutes of the September 3, 2010 Board meeting. Voting "aye": C. Bonnell, M. Fulton, J. Leichter, P. Orud, T. Thompson, S. Ward, J. Wolf, P. Stankovitch. Voting "nay": none. Abstention: none. There being nine "ayes" and no "nays" motion carried.

3. Administrative Matters**a. Administrative Committee Report**

- i. The Administrative Committee recommends amendment of the Minnesota Board of Psychology Internal Operating Policies and Procedures (in part): Board Officer and Committee Duties previously adopted on August 6, 2010, with the intention of separating out Board,

Board committee, and Executive Director policies from Board staff policies.

S. Ward moved, seconded by T. Thompson to approve the amendment of the Minnesota Board of Psychology Internal Operating Policies and Procedures. Voting "aye": C. Bonnell, M. Fulton, J. Leichter, P. Orud, T. Thompson, S. Ward, J. Wolf, P. Stankovitch. Voting "nay": none. Abstention: none. There being nine "ayes" and no "nays" motion carried.

- ii. The Administrative Committee requests Board action on the Board Internal Operating Policies and Procedures (Pgs. 3-15), as proposed at the September 3, 2010 Board meeting.

M. Fulton moved, seconded by T. Thompson to approve the textual manual for complaint resolution practice. Voting "aye": C. Bonnell, M. Fulton, J. Leichter, P. Orud, T. Thompson, S. Ward, J. Wolf, P. Stankovitch. Voting "nay": none. Abstention: none. There being nine "ayes" and no "nays" motion carried.

b. Legislative Committee Report

- i. Upon recommendation from the Legislative Committee, the Minnesota Board of Psychology (Board) reviewed the proposed language of Minnesota Statutes, section 148.10 recently enacted for the Minnesota Board of Chiropractic Examiners. The Board raised the following concerns regarding an extension of the proposed statutory language to all Health-Related Licensing Boards, but specifically to the Minnesota Board of Psychology:

- The mandatory nature of the legislation which removes discretion from the full Board to grant or renew a license to practice [psychology] to any person convicted of a felony-level criminal sexual conduct offense, on or after enactment.
- The legislation substitutes the discretion of the Board for that of the legislature in the area of regulation and issuance of professional licenses. The Health-Related Licensing Boards (HLBs) are comprised of subject matter experts in each health field as well as public members. The Board holds a strong belief in independent Board or committee review of licensure and complaint resolution matters on a case-by case-basis.
- The basis upon which the licensure decision would be made is "conviction." The Board notes that subdivision 7, (d) defines conviction differently than the criminal justice system and fails to account for juvenile offenders who may

be found to have committed an offense by the court, but are not truly convicted.

- Further examination of the definition of the term “conviction” for the purposes of this legislation is important.
- The Board or its committees should be able to review the specific circumstances of each incident on a case-by-case basis.
- The all inclusive nature of the criminal sexual offenses, in that it includes all levels of CSC crimes (1st through 4th degree) stating that “a license to practice [psychology] is automatically revoked if the licensee is convicted of an offense listed in paragraph (a) of this section.”
- Subdivision 7, (c) which exempts the proposed boards from the Criminal Rehabilitation Act (Chapter 364).
- The starting point for demonstrating rehabilitation and the ability for licensure is “a rebuttable presumption that “the applicant is not suitable for licensing or credentialing” and feels that this requires further consideration.
- Section 1, subdivision 7, (e)(3), where one of the criteria whereby an individual convicted of an offense listed in paragraph (a) may become licensed, requires the Board to “require that a minimum of ten years has elapsed since the applicant was released from any incarceration or supervisory jurisdiction related to the offense.” The Board finds the 10 year period to be reasonable, but identified the need for clarification of the term “supervisory jurisdiction.”
- The provision which states, “[t]he board shall not consider an application under this paragraph if the board determines that the victim involved in the offense was a patient or a client of the applicant at the time of the offense.” The Board agrees with the Committee and finds this provision to be in line with its mission of public protection.

Summary: The Board finds that the legislation requires a more in-depth review as the language presents complex issues related to the criminal justice system in general. In its present form the Board would not support this proposed legislation.

ii. Chapter 214: October 16, 2010 Hearing Report

C. Bonnell reported the meeting was an informational meeting about the change that’s being proposed. He agreed with the concern that was

expressed during the hearing about the length of the complaint resolution process time. He would like to challenge the Board to look for ways to improve the complaint resolution time.

iii. Legislative Agenda

The Legislative Committee requested the Board to identify statutory issues within the Minnesota Board of Psychology Practice Act for Legislative Committee consideration and inclusion on the Board's legislative agenda. A. Barnes proposed to consider the regulation of telepractice and the prescription of medications. P. Stark suggested the committee consider strengthening the scope of practice as defined in the Psychology Practice Act and to consider the fact that Social Workers are administering psychological tests.

c. ARC Report

The Application Review Committee (ARC) welcomed new member, Dr. Patricia Stankovitch, PsyD. LP to the Committee and provided new member orientation. P. Stankovitch and J. Brown brought a wealth of information and background to the continued discussion of updating the Core Course grid, which is used as an aid to the committee and by applicants of non-APA accredited institutions to determine appropriate course for each educational requirement. The project of updating the grid continues. J. Brown and P. Stankovitch will forward to L. Campero samples of general descriptions of each core area. The materials will be compiled and discussed at the next ARC meeting. A. Barnes and D. Lundstrom, AAG, will advise on appropriate Board involvement and process for implementation of the new Core Course grid.

d. PRE Committee Report

During its September 3, 2010 meeting, the PRE Committee attended a demonstration of the Board of Chiropractic Examiners jurisprudence examination by Dr. Larry Spicer, DC. Following the demonstration the Committee discussed: Open Meeting Law requirements with Assistant Attorney General Daphne Lundstrom and procedure on how to discuss private data in public meetings.

L. Campero gave a report on his ongoing item analysis of the PRE as it currently exists and plans to provide that data to the Committee as they modify the examination. The Committee divided the rules into individual assignments for each Committee member to develop preliminary test questions. The PRE Committee opted to propose to the full Board that the PRE Committee be a standing committee meeting twice per year and as needed to continue to improve, modify, and keep current items on the PRE and the process for examination administration.

C. Bonnell moved, seconded by J. Leichter to approve the PRE Committee be a standing committee meeting twice per year and as needed. Voting “aye”: C. Bonnell, M. Fulton, J. Leichter, P. Orud, T. Thompson, S. Ward, J. Wolf, P. Stankovitch. Voting “nay”: none. Abstention: none. There being nine “ayes” and no “nays” motion carried.

e. Executive Director’s Report

A. Barnes reported on the upcoming implementation of laptops for future committee and Board meetings. A. Barnes provided the Board with cost analysis, return on investment and the positive impacts this will bring not only to the Board’s budget but also to making the Board’s processes more efficient.

f. Rules Committee Report

A. Barnes reported the drafts for Terminology, Rules of Conduct, Licensure and Continuing Education were sent to the Board office from the Office of the Revisor on or around September 27, 2010. Revisions were accepted in the areas of Rules of Conduct, Licensure and Continuing Education as they were technical modifications and not substantive language revisions.

Three approved drafts were returned to the Revisor and as of October 1, 2010 we have received back final drafts for Licensure, Continuing Education and Rules of Conduct.

There may be the need for a meeting of the Rules Committee to discuss Terminology.

The Revisor contacted A. Barnes on October 5, 2010 to discuss combining all four rules into one proposal. Work on the SONAR (statement of need and reasonableness) continues and will be provided to the Attorney General’s Office upon completion.

A checklist for rules requirements has been requested from the Attorney General’s Office for use in compiling the historical data needed to demonstrate compliance with the rulemaking process requirements in anticipation of the issuing the Notice of Intent to Adopt and moving forward towards hearings.

4. Waiver/Variations

a. Variance Report

Under its delegated authority Board Staff the Assistant Executive Director and the Executive Director approved six-month time limited variance to complete

continuing education requirement (Minnesota Rule 7200.3400, Subp.2) to the following licensees:

Duke, Denise, EdD, LP	LP3533	09/30/10
Reed, Rebecca, PhD, LP	LP4061	08/31/10
Rousseau, Rudolph, MEq, LP	LP1420	08/31/10

b. Waiver Request CE

Approve/Deny waiver request from Georgi Kroupin, MA, LP for a waiver of the Continuing Education Requirement of 40 hours (Minn. Rule 7200.3820)

C. Bonnell moved, seconded by S. Ward to deny waiver request. Voting "aye": C. Bonnell, M. Fulton, J. Leichter, T. Thompson, S. Ward, J. Wolf, P. Stankovitch. Voting "nay": none. Abstention: P. Orud. There being eight "ayes" and no "nays" motion carried.

c. Late Fee Waiver Request

Approve/Deny waiver request from Susan Blake, PhD, LP for a waiver of the late renewal fee (Minn. Rule 7200.3500)

C. Bonnell moved, seconded by S. Ward to deny waiver request. Voting "aye": P. Orud, C. Bonnell, M. Fulton, J. Leichter, T. Thompson, S. Ward, J. Wolf, P. Stankovitch. Voting "nay": none. Abstention: none. There being nine "ayes" and no "nays" motion carried.

5. Licensure

a. Licensed Psychologist

The Application Review Committee recommends the following applicants be licensed as Licensed Psychologists based upon fulfilling all requirements for licensure.

09-173	Anderson, Carlin Mahan, PhD	09-179	Brandell, Kara, PsyD
11-003	Coady, Erica, PhD	09-116	Fairbanks, Joy, PhD
11-021	Faust, Douglas, PhD	05-042	Kaufman, Jason, PhD
09-175	Leither, Jessica, PsyD	09-213	Michaels, Lucille, PsyD
09-208	Toren, Alison, PhD		

6. Licensure Report

a. EPPP Admission – APA Accredited

Under its delegated authority on October 29, 2010, Board staff approved the following applicants be admitted to the Examination for Professional Practice in Psychology (EPPP)

09-218

11-007
11-011
11-014
11-012
11-008
11-010
11-018
11-019
11-020
11-022
11-016
11-017

b. PRE Admission – APA Accredited

Under its delegated authority on September 24, 2010, Board staff approved the following applicants be admitted to the Professional Responsibility Examination (PRE)

11-009
11-013
00B-009
09-147
11-021
11-006
11-012
09-193
11-008
09-190
09-233
11-015
11-020
09-232
09-196

c. LPP to LP Conversion

Under its delegated authority, on September 24, 2010, the Application Review Committee approved the conversion of the following applicant from LPP to LP Licensure. The Licensed Psychological Practitioners listed below have complied with all of the requirements of Minn. Stat. § 148.907, Subd. 5.

05-053	Drouillard, Mary Webster, MA, LPP
05-105	Donegan, Melissa, MA, LPP

7. Other Business

- a. Agreement for Corrective Action (ACA)

On September 3, 2010 Thomas Vessey, PhD, LP entered into an Agreement for Corrective Action with the Minnesota Board of Psychology Complaint Resolution Committee comprised of Jean Wolf, PhD, LP, Ted Thompspon, MEq, LP and Chris Bonnell.

8. Future Business & Meetings

- a. October 8, 2010 – Administrative Committee meeting. Open and Closed.
- b. October 8, 2010 – Legislative Committee meeting. Open.
- c. October 8, 2010 – PRE Committee meeting. Open.
- d. October 13-17, 2010 – ASPPB Annual meeting of delegates
- e. October 15, 2010 – Complaint Resolution Committee II meeting. Closed.
- f. October 29, 2010 – Application Review Committee meeting. Open.
- g. J. Leichter requested a cost analysis be done on what it would cost the Board to start conducting background checks.

9. Adjournment

- a. P. Orud moved, seconded by T. Thompson that the meeting be adjourned. Motion carried unanimously. The meeting adjourned at 11:40 a.m.

Respectfully submitted,

SUSAN WARD
Board Secretary