

MINNESOTA BOARD OF PSYCHOLOGY

Minutes of the 429th Meeting

April 15, 2011

Members Present: C. Bonnell, J. Brown, G. Jensen, P. Orud, J. Leichter, P. Stankovitch, S. Ward, J. Wolf.

Members Absent: S. Hayes.

Others Present: A. Barnes, Executive Director, L. Campero, Assistant Executive Director, D. Lundstrom, Assistant Attorney General.

EXECUTIVE SESSION

On the recommendation of the Complaint Resolution Committee, the Minnesota Board of Psychology adopted the following actions:

1. Licensee Nicole Holman, MA, LPP, License No. LPP0204 did not appear after having been served a notice of a hearing before the Minnesota Board of Psychology. B. Garbe presented the Complaint Resolutions Committee's case, after which all Complaint Resolution Committee members, Board staff who worked with the Committee, and Mr. Garbe were dismissed while the Board deliberated. After considering the facts of the case, the Board adopted an order to temporarily suspend the license of Nicole Holman, MA, LPP.
2. A Stipulation and Consent Order in the matter of the License of William W. Duffy, PhD, LP, License No. LP0134; which places conditions and restrictions on the licensee's license to practice psychology in the State of Minnesota. Licensee's retention of his license is conditional upon complying with the following: licensee shall not supervise psychology interns and/or applicants for licensure or licensed psychology.
3. A Stipulation and Consent Order in the matter of the License of Nancy Olesen, MA, LPP, License No. LPP0154; which reprimands the licensee. Licensee shall pay a civil penalty to the Board in the amount of five hundred (\$500.00) dollars for engaging in the conduct and violations described.

PUBLIC SESSION

Board Chair, C. Bonnell, called the public session of the meeting to order at 1:00 p.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, C. Bonnell, requested the adoption of the tentative agenda by the full board.

Two additional items were added to the agenda:

- Motion by the Application Review Committee
- Agreement for Corrective Action

J. Brown moved, seconded by G. Jensen to approve the Agenda of the April 15, 2011 Board meeting. Voting “aye”: J. Brown, G. Jensen, P. Orud, J. Leichter, P. Stankovitch, S. Ward, J. Wolf. Voting “nay”: none. Abstention: none. There being seven “ayes” and no “nays” motion carried.

2. Approval of the Minutes of the Board Meeting of February 25, 2011.

J. Leichter moved, seconded by P. Stankovitch to approve the Board Meeting minutes of February 25, 2011. Voting “aye”: J. Brown, G. Jensen, P. Orud, J. Leichter, P. Stankovitch, S. Ward, J. Wolf. Voting “nay”: none. Abstention: G. Jensen. There being six “ayes” and no “nays” motion carried.

3. Consent Agenda

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

- a. LP Licensure

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

09-161	Gerber, Miriam, PsyD
09-201	Himes, Susan, PhD
09-225	Kachgal, Mera, PhD
11-046	Kaler, Matthew, PhD
11-012	Lenhardt, Thomas, PsyD
11-054	Porter, Amanda, PsyD

11-020 Seaburg, Deborah, PhD
09-126 Smallwood, Kent, PhD

b. Legislative Committee Report

The Legislative Committee of the Board met on February 25, 2011 to consider the following agenda:

- i. Learn of the nature and extent of the present practice of telepsychology;
- ii. Learn of future possibilities brought on by the expansion and improvement of technology;
- iii. Understand issues other jurisdictions have regarding the practice of telepsychology and brainstorm other possible issues;
- iv. Consider areas the Board would like additional information and education in the area of telepsychology;
- v. Make recommendations to further investigate particular telepsychology topics; and
- vi. Refer appropriate topics, issues, and ideas to Legislative Committee and/or Rules Committee and/or Board Staff to prepare potential rules and/or propose potential legislation

The Legislative Committee discussed several important topics related to telepsychology. A summary of those topics is provided below:

- i. Privacy.
- ii. Competence.
- iii. Medium and Equipment.
- iv. Client Welfare.
- v. Initiating a Client Relationship (using telepsychology).
- vi. Assessments, Tests and Reports.
- vii. Websites and Advertising.
- viii. Informed Consent.
- ix. Boundaries and Professional Limits.

The Legislative Committee moved at the February 25, 2011 meeting to establish a work plan for moving forward with the work of the Legislative Committee on telepsychology.

P. Orud submitted the draft work plan to the Executive Director for consideration and review which includes the following preliminary goals:

- i. Define telepsychology within the State of Minnesota;
- ii. Define jurisdictional parameters for client and practitioner;

- iii. Establish potential rules and/or regulations for practice within the state of Minnesota

The Legislative Committee will consider the work plan foundation as prepared by P. Orud at the next meeting, scheduled for May 13, 2011.

c. Agreement for Corrective Action

On April 15, 2011 the following licensees entered into an Agreement for Corrective Action with the Minnesota Board of Psychology:

Paul Reitman, PhD, LP

John Husted, PhD, LP

d. Future Business and Meetings

April 15, 2011 – 3:00pm – Administrative Committee Meeting (Open)

April 21, 2011 – 4:00pm – Rules Committee Meeting (Open)

April 29, 2011 – 8:00am – ARC Meeting (Open)

May 13, 2011 – 11:00am – Legislative Committee Meeting (Open)

May 13, 2011 – 9:00am – Board Meeting (Open)

May 27, 2011 – 9:00am – CRC II Meeting (Closed)

The following items were removed from the consent agenda for further discussion:

- a. Licensure Report
- b. Rules Committee Report

G. Jensen moved, seconded by S. Ward to approve the Consent Agenda. Voting “aye”: J. Brown, G. Jensen, P. Orud, J. Leichter, P. Stankovitch, S. Ward, J. Wolf. Voting “nay”: none. Abstention: none. There being seven “ayes” and no “nays” motion carried.

4. Rules Committee Report

The Minnesota Board of Psychology (Board)’s Rules Committee met on Thursday, March 31, 2011 from 4:00 p.m. to 6:30 p.m. to review and discuss the comments received in response to the Request for Comments for the Proposed Permanent Rules Relating to the Practice of Psychology (RD4001), currently available for public comment, until May 9, 2011.

Present at the meeting for the Board were, Rules Committee Chair, Jeffrey A. Brown, Ph.D., LP, Patricia Orud, MA, LP, Chris Bonnell, JD, Executive Director, and Angelina M. Barnes.

Public Attendees included: Dr. Patricia A. Stark, Ph.D., LP, Minnesota Psychological Association, Director of Professional Affairs, Dr. John A. Sabatini, Jr., Divisional Vice President, Institutional Oversight and Academic Integrity, Cristine Almeida of Walden, Dave Clinefelter, Marilyn Powell Ph.D., and Melanie Storms, Psy.D. of Walden University.

Dr. Brown called the meeting of the Rules Committee to order at 4:05 p.m. and declared a quorum.

A. Barnes reviewed the comments received as allocated by category: Definitions, Licensure, Continuing Education, and Rules of Conduct and sought feedback from the Committee on the substantive issues. The Committee elected to place substantive issues on a list for further consideration and in connection with comments that may be received between March 31, 2011 and the closing of public comment, May 9, 2011.

Received comments were addressed and confirmed with the Committee. A. Barnes will prepare and send responses to the comments that were procedural or technical in nature.

The Committee is scheduled to meet next on Thursday, April 21, 2011 beginning at 4:00 p.m. to continue discussion on public comments received and tabled items.

5. Licensure Report

Under its delegated authority on April 1, 2011, the Application Review Committee (ARC) approved the following applications:

a. Conversion Application (LPP to LP)

06-162 Weess, Debra, MA, LP

b. Education Upgrade

09-093 Farber, Jane, PhD, LPP

c. Emeritus

06-314 Burt, Joyce, MA

d. Admission to EPPP (Non-APA accredited)

09-202	Walden Univ.
07-112	U of MN
11-051	Walden Univ.

e. Admission to PRE (Non-APA accredited)

11-047	Alliant International Univ.
--------	-----------------------------

Under its delegated authority Board Staff approved the following applications:

f. Admission to EPPP (APA accredited)

11-028	Argosy – MN
11-070	Argosy – MN
00-006	St. Thomas Univ.
11-071	Argosy – MN
11-073	Argosy – MN
11-064	U of WY – Laramie
11-033	Argosy – MN
09-156	St. Thomas Univ.
11-039	Argosy – MN
11-031	Argosy – MN
11-016	U of MN
11-067	U of MN
11-034	Argosy – MN

g. Admission to PRE (APA accredited)

11-001	Argosy – MN
11-069	Argosy – MN
11-041	St. Thomas Univ.
11-074	Alliant Int. Univ.
11-052	St. Thomas Univ.
09-174	Argosy – MN
11-066	Argosy – MN
11-016	U of MN
11-032	Argosy – MN

6. Old Business**a. MN Anti-Torture Resolution with State Health Care Licensing Boards****i. Letter from the Office of the Attorney General – K. Fruechte**

Executive Director, A. Barnes, reported on a letter received by the Board from the Office of the Attorney General which confirms that the resolution does not obligate the Board to take any action based on this resolution or beyond the Board's statutory obligations.

7. New Business**a. Executive Director's Report**

The laptop project is in its final stages. Recently, IT staff completed the following tasks to prepare the laptops for use for both Board and Complaint Resolution Committee meetings:

- i. Installation of necessary software including LiveMeeting to allow for videoconferencing for closed meeting purposes such as the CRCs;
- ii. Creation of a portal site for Board member login and access to Board and Committee folders, individual assigned and security protected by committee and staff membership;

Board staff ordered and await IT installation of two commercial scanners to assist in the move to the use of laptops for Board business. Two additional staff tablets were ordered for Board use.

Board staff anticipates that training for laptop use will occur in either May or June 2011. The final stage in laptop implementation will be the creation of a standard Board book and CRC case notebooks within the OneNote software system.

A. Barnes presented with Dr. Jane Hovland and Mary DeVany on telepsychology within the State of Minnesota at the Minnesota Psychological Association's conference.

In summary, the presentation included information on the current Psychology Practice Act and telepsychology, language within the Proposed Permanent Rules Relating to the Practice of Psychology (RD4001), a summary of the Legislative

Committee's work from the February 25, 2011 meeting on telepsychology, and a brief overview of the ASPPB Task Force on Telepsychology.

Results and presenter feedback from this presentation should be available shortly.

LEGISLATIVE SUMMARY

- i. Budget proposals
 - a. Dedicated Special Revenue Fund—unsupported.
 - b. Governor's Budget with standard appropriations.
 - c. 5% increase to base budget.
- ii. Potential sunset review for 2012; combination of agencies with under 11.0 FTE, early retirement and state employee cut-backs; pay freeze—step increase eligibility; health insurance benefits premium increase (high-deductible plans) with individually paid premiums.
- iii. Abeler's Omnibus Bill.
 - a. Criminal Sexual Conduct Legislation;
 - b. Chapter 214 Legislation.

8. Application Review Committee

The Application Review Committee made the following motion to the Board:

Education requirements for applicants from non-APA accredited institutions are reviewed and approved by the ARC in connection with first-time admission to examinations (PRE or EPPP). Once education requirements for an applicant are approved, Board staff is delegated the responsibility to process subsequent applications for admissions to either examination.

Voting "aye": J. Brown, G. Jensen, P. Orud, J. Leichter, P. Stankovitch, S. Ward, J. Wolf.
Voting "nay": none. Abstention: none. There being seven "ayes" and no "nays" motion carried.

9. Adjournment

G. Jensen moved, seconded by J. Brown that the meeting be adjourned. Motion carried unanimously. The meeting adjourned at 2:45 p.m.

Respectfully submitted,

SUSAN WARD
Board Secretary