

MINNESOTA BOARD OF PSYCHOLOGY

Minutes of the 456th Meeting

December 13, 2013

Members Present: J. Leichter, R. David, B. Dollins, S. Fischer, P. Orud, P. Stankovitch, R. Boughton, and B. Stawarz

Members Absent: C. Bonnell, D. Fisher

Others Present: A. Barnes, Executive Director, Sara Boeshans, Assistant Attorney General, Scott Payne, Board Staff, Joshua Bramley, Board staff, P. Barner (MPA representative); Walden representative; and Jerry Jensen, MA, LP.

Board Chair, J. Leichter, called the meeting to order at 9:20 in the conference room at 2829 University Avenue SE, Suite 320, Minneapolis, Minnesota.

PUBLIC SESSION

1. Adoption of the tentative agenda

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

S. Fischer moved, seconded by P. Orud to adopt the tentative agenda with a removal of the session to train Board members on the use of state e-mail and the Executive Director's report being moved out of the consent agenda. Voting "aye": R. David, B. Dollins, S. Fischer, B. Stawarz, P. Orud, P. Stankovitch, R. Boughton. Absent: C. Bonnell and D. Fisher. There being seven "ayes" and no "nays" motion carried.

2. HPSP presentation

Kurt Roberts of the Health Professionals Services Program (HPSP) was on site and presented a brief overview of the HPSP and to answer questions regarding the Board's participation in HPSP.

3. Approval of the Board minutes

B. Dollins moved, seconded by S. Fischer to approve the minutes of the November 15, 2013 Board meeting. Voting "aye": R. David, B. Dollins, S. Fischer, B. Stawarz, P. Orud, P. Stankovitch, R. Boughton. Absent: C. Bonnell and D. Fisher. There being seven "ayes" and no "nays" motion carried.

4. Consent Agenda

P. Orud moved, seconded by R. David to approve the consent agenda. Voting “aye”: R. David, B. Dollins, S. Fischer, B. Stawarz, P. Orud, P. Stankovitch, R. Boughton. Absent: C. Bonnell and D. Fisher. There being seven “ayes” and no “nays” motion carried.

a. Licensure Report

Under its delegated authority, Board staff approved the following applicants for licensure based upon fulfilling all requirements for licensure.

Alexandra Wagener, Ph.D., LP
Halie Rostberg, Psy.D., LP
Crystal Leal, Psy.D., LP
Akiko Tanaka, Ph.D., LP
Joel Wilson, Ph.D., LP
Denise Herbst, Psy.D., LP
Amanda Sullivan, Ph.D., LP

Under its delegated authority Board staff approved the following applicants for Emeritus Registration:

Thomas W. Bursack, MA
Mary M. Ceynowa, MA
Susan Y. Kirkpatrick, Ph.D.
Jerilyn J. Mitchell, MS
Jack B. Schaffer, Ph.D.
Mary K. VanReken, Ph.D.

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

Suzan Peterson, Psy.D.	Kent Kodalen, Ph.D.
Heather Joyce, Psy.D.	Terese Amble, Psy.D.
Lauren Canniff, Psy.D.	Laura Strong, Psy.D.
Holly Hanson, Psy.D.	Kristie Kruse, Psy.D.
Nadir Behrem, Psy.D.	Crystal Schumacher, Psy.D.
Lauren Fogel, Psy.D.	

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

Danielle Steward, Psy.D.
 Nicholas Seivert, Ph.D.
 Julie Eisengart, Ph.D.
 Kimberly Turner, Ph.D.

Mischa Tursich, Ph.D.
 Kristine Duffin, Psy.D.
 Kristie Kruse, Psy.D.
 Jason Eckerman, Psy.D.

b. CE Variance Report

Under its delegated authority Board staff approved four (4) six month continuing education variances for the following licensees pursuant to Minnesota Rules 7200.3860, D:

Rachel Allyn	LP5171
Michael Hooven	LP0236
Robert Larsen	LP0243
Tamara Nelson	LP0245

5. License Terminations

The Board voted via roll call vote to approve the termination of the following licenses for failure to renew:

LP	Last	First
LP0118	Bofenkamp	Barbara
LP2104	Davidson	Nicki
LP0081	Gruter	Arnoldus
LP0082	Hage-Kone	Kirstin
LP0083	Hamilton	Marcia
LP3229	Jann	Kirsten
LP4612	Larson	Peter
LP4842	Littlefield	Victoria
LP2388	McDermott	James

LP3802	Pederson	Melissa
LP4945	Sarma	Zinta
LP0202	Sloan	Elaine
LP5094	Ward	Jane

A roll call was taken to approve the above terminations and the votes were as follows: R. Boughton “aye”; R. David “aye”; B. Dollins “aye”; S. Fischer “aye”; P. Orud “aye”; B. Stawarz “aye”; P. Stankovitch “aye.” There being seven “ayes” and no “nays” motion carried. Absent: C. Bonnell and D. Fisher.

6. Rescission of Board License Termination

S. Fischer moved, seconded by R. Boughton to rescind the Board termination of the license of LP3229, Kirsten Jann for consideration of a pending request. A roll call vote was taken to rescind the Board action and the votes were as follows: R. Boughton “aye”; R. David “aye”; B. Dollins “aye”; S. Fischer “aye”; P. Orud “aye”; B. Stawarz “aye”; P. Stankovitch “aye.” There being seven “ayes” and no “nays” motion carried. Absent: C. Bonnell and D. Fisher.

7. Open Forum: Presentation by J. Jensen, MA, LP

Former Board Chair, Jerry Jensen, MA, LP addressed the Board regarding a substantive issue in forensic proceedings that involve minors and the court system. Mr. Jensen raised concerns regarding minors and confidentiality, including a clear difference between forensic and psychotherapy roles of a psychologist. With respect to the following:

Minor clients. At the beginning of a professional relationship, the provider shall inform a minor client, to the extent that the client can understand, that the law imposes limitations on the right of privacy of the minor with respect to the minor's communications with the provider.

Mr. Jensen suggested an addition that would include, “if the service provided to the minor is of a forensic nature, the minor and the parent/guardian needs to have adequate education and information about the difference between counseling/psychotherapy and forensic evaluations.”

Mr. Jensen's second matter raised for the Board's consideration related to the fact that psychologists need to be clear that child custody, parenting evaluations are not psychotherapy. He noted that “there is a fundamental conflict between counseling/therapy and forensic

evaluation and therefore those services cannot be provided concurrently by the same psychologist. Mr. Jensen cited, *Irreconcilable Conflict Between Therapeutic and Forensic Roles* (Greenberg, S.A. & Shuman, D.W., Professional Psychology: Research and Practice, February 1997 Vol. 28, No. 1, 50-57.).

Mr. Jensen also expressed concern that trust is critical to the therapeutic relationship and that children should not be forced to speak in forensic evaluations if they choose not to. Additionally, Mr. Jensen noted that “psychologists should respectfully decline to provide court ordered services just because they are court ordered. Educating the court about appropriate ways to get information needed in a proper and ethical manner,” might be helpful.

Mr. Jensen also enumerated sections of the Board rules that may also relate to his concerns around minors and forensic services such as:

Applicants or licensees shall recognize the boundaries of their competence and the limitations of their techniques and shall not offer services or use techniques that fail to meet usual and customary professional standards.

The provider shall not provide psychotherapy services to multiple clients whose psychotherapy goals are fundamentally irreconcilable. If this situation arises after services have been initiated, the provider shall promptly terminate services to one or both clients.

Services to multiple clients. Whenever psychological services are provided to multiple clients, the provider shall initially inform each client of the provider’s responsibility to treat any information gained in the course of rendering the services as private information, including any limitations to each client’s right to privacy.

The Board discussed the matter, and referred the issues to the Rules Committee to manage in their annual rules review.

8. Board Elections

The Board voted to elect its 2014 officers and members of the Administrative Committee as follows: Chair for 2014: Dr. Jeffrey L. Leichter, Ph.D., LP; Vice Chair for 2014: Dr. Scott A. Fischer, Ph.D., LP; and Secretary for 2014: Dr. Raja David, Psy.D., LP.

9. Administrative Committee Report

The Administrative Committee of the Board provided a copy of its draft minutes from its November 15, 2013 meeting. The November meeting covered a financial update, a review of psychological firms and their statutory structure, information regarding the services of the Office of the Attorney General, general organizational analysis and staffing matters and an update on the Board's VERSA project for a new internal database.

10. Rules Committee Report

The Rules Committee of the Board provided a copy of its draft minutes from its November 22, 2013 meeting. The Committee took up the issue as referred from the Administrative Committee on psychological firms and the need for rules to regulate their conduct; established resources for the Committee; and began systematically reviewing the administrative rules for the next promulgation process.

11. CE Planning Committee Report

The CE Planning Committee of the Board provided a copy of its draft minutes from its November 27, 2013 meeting. The Committee established the process for contacting speakers, established timeline goals for the presenters' proposals, and a timeline for next steps.

12. Database: VERSA

The Executive Director reported that the Board is in the process of working with MN.IT Central Business Analyst (BA) and a project manager to prepare for the replacement of the Board's internal database system, which will include an array of online services for the public and additional Board stakeholders. A project status report was provided to the Board.

13. Variance Request

P. Orud moved, seconded by R. Boughton to approve a six month time limited variance for Licensed Psychologist, Kirsten Hostetler Jann. Voting "aye": R. Boughton "aye"; R. David "aye"; B. Dollins "aye"; S. Fischer "aye"; P. Orud "aye"; B. Stawarz "aye"; P. Stankovitch "aye." There being seven "ayes" and no "nays" motion carried. Absent: C. Bonnell and D. Fisher.

14. Request for Delegated Authority

P. Orud moved, seconded by R. Boughton to delegate authority from Minnesota Rule 7200.6000 (waivers and variances) to the Executive Director to approve requests for waiver of the late fee located in Minnesota Rules 7200.3500 in connection with the failure of applicants to submit their license renewal in accordance with the rule. Voting "aye": R. Boughton "aye"; R. David "aye"; B. Dollins "aye"; S. Fischer "aye"; P. Orud "aye"; B. Stawarz "aye"; P. Stankovitch "aye." There being seven "ayes" and no "nays" motion carried. Absent: C. Bonnell and D. Fisher.

EXECUTIVE SESSION

The Board closed the meeting to go into Executive session at approximately 11:30 p.m. to engage in its quasi-judicial function involving disciplinary proceedings. The Board approved a Stipulation and Consent Order In the Matter of the License of Marguerite V. Butler, LP4506, which is a public and disciplinary document.

The Licensee was found to have violated 148.98 (code of conduct); 148.941, subd. 2(a)(1) (rule or statute the Board is empowered to enforce); 148.941, subd. 2(a)(3) (unprofessional conduct); 7200.4810, subp. 1, 2A, and 2E (impaired objectivity); 7200.4900, subp. 7a (exploitation of a client) and 7200.5700 (unprofessional conduct). The Board suspended the license of LP4506 indefinitely. In order to petition for reinstatement the Licensee is required to complete an individualized boundaries course; submit a report on the boundaries course; complete graduate level coursework; complete the Professional Responsibility Examination (PRE) and to formally petition the Board for consideration.

15. Adjournment

R. Boughton moved, seconded by B. Stawarz to adjourn the meeting of the Minnesota Board of Psychology. Voting "aye": R. Boughton "aye"; R. David "aye"; B. Dollins "aye"; S. Fischer "aye"; P. Orud "aye"; B. Stawarz "aye"; P. Stankovitch "aye." There being seven "ayes" and no "nays" motion carried. Absent: C. Bonnell and D. Fisher. The meeting concluded at approximately 11:45 p.m.

Respectfully submitted,

PATRICIA STANKOVITCH, PsyD, LP
Board Secretary