

TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY

DATE: December 8, 2016

TIME: 9:00 a.m., CDT

LOCATION: Health Related Boards
Poplar Room
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Janice Pazar, Ph.D., Chair
David C. Mathis, Ed.D.
Connie Mazza, SPE
Timothy Urbin, Ph.D.
Rebecca Joslin, Ed.D., Ph.D.
Hugh D. Moore, Ph.D.
Annette Little, Ph.D., BCBA-D

BOARD MEMBERS

ABSENT: H. R. Anderson, Jr., SPE
Jennifer Winfree, Consumer Member

STAFF

PRESENT: Teddy Wilkins, Unit Director
James Hill, Board Administrator
Lisa Williams, Board Administrator
Jennifer Putnam, Office of General Counsel

Dr. Pazar, Chair, called the meeting to order at 9:03 a.m. A roll call was conducted and a quorum was present.

Minutes

Upon review of the September 15, 2016 minutes, Dr. Mathis made a motion, seconded by Dr. Urbin, to approve the minutes as corrected and/or added for clarity. The motion carried.

Office of General Counsel

Ms. Putnam stated there are no consent orders and no pending legislation to present at the meeting. There is no legislation because the session does not begin until January 11, 2017.

Ms. Putnam said the Telepsychology rules are still currently in the attorney general's office pending review of legality.

Investigative Report

Ms. Dorroh said there are twelve (12) complaint cases in Investigations. Eleven cases are from Psychology and one case is from Psychological Examiners. None of the cases are currently scheduled to be heard at the December meeting. These cases will probably be scheduled for the beginning of the year.

Ms. Dorroh reviewed the list of currently monitored practitioners with the Board.

Administrative Report

Mr. Hill stated as of December 6, 2016 there are currently 1,415 licensed Psychologists, 417 licensed Psychological Examiners/Senior Psychological Examiners and 47 licensed Certified Psychological Assistants.

Mr. Hill said there are currently 22 Psychologists applications in process, 22 newly licensed, 155 renewals with 97 renewing online for a percentage of 63%. Mr. Hill said 0 retired, 3 expired and 2 reinstated their licenses.

Mr. Hill said there are currently no applications, or newly licensed, Psychological Examiners/Senior Psychological Examiners, 57 renewals with 22 renewing on line for a percentage of 39%. Mr. Hill said 0 retired, 1 expired and 0 reinstated their license.

Mr. Hill said there are currently 1 Certified Psychological Assistant application, 1 newly licensed, 5 renewed with 2 renewing online for a percentage of 40%. Mr. Hill said 0 retired, expired or reinstated their licenses.

Mr. Hill asked the Board members to sign their travel and per diem claims.

Mr. Hill stated the next scheduled Board Meeting is March 16, 2017 and the following dates have been scheduled for 2017:

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June 15, 2017
September 14, 2017
December 7, 2017

Financial Report

Ms. Noranda French, Finance Office, presented the board with the closing financials for FY 2016 stating the Board has total direct expenditures of \$126,123.47; total allocated expenditures of \$85,612.87; with total expenditures of \$211,736.34. Ms. French said the projected board fee revenue is \$290,119.41 and projected current year net of \$78,383.07 for a cumulative carryover of \$1,016,223.54

Discuss and Ratify/Deny Newly Licensed and Reinstated

Newly Licensed

Dr. Urbin made a motion, seconded by Dr. Mathis to ratify the following newly licensed Psychologists and Certified Psychological Assistant:

Psychologists

**Caroline F. Acra
Jason E. Cooper
Christopher R. Ferrand
Rebecca A. Green
Mekel S. Harris
Valerie P. Hooper
Jstina A. Jyfantis
Barbara James
Pooja Khariwal
Paige Lembeck
Christine Lavonne Manley Raba**

**Sonia Matwin
Diana Morelen
Ibis D. Nunez-Santiago
Ruth S. O'Brien
Ryan Oetting
Natalie K. Pckering
Brittany Llynn Rader
Verity L. Rodrigues
Colby D. Taylor
Sheen M. Walker
Nicole N. Webb**

Psychological Assistant

Courtney D. Maclin

The motion carried.

Reinstated

Dr. Little made a motion, seconded by Dr. Urbin, to ratify the following reinstated Psychologists and Psychological Examiner:

Psychologist

**Amy Mariaskin
Mario E. Martinez**

The motion carried.

Applicant File Review

Nancy Farris appeared before the board with legal counsel, Anne Arney, to discuss her application regarding licensure as a psychologist. Dr. Pazar requested Dr. Farris to review the timeline from her transcripts clarifying her pre-doctoral internship and practicum hours of the year following her internship. After clarification and discussion, Dr. Mathis made a motion,

seconded by Dr. Urbin to approve Dr. Farris to sit for the Ethics and Jurisprudence Exam and to be licensed after passage. The motion carried.

Review Correspondence

Xu Jiang requested an 18 month extension of her provisional license. After review, Dr. Urbin made a motion, seconded by Dr. Little, upon completion of new application with hours already completed. The motion carried.

Ms. Putnam referenced correspondence sent in by **Dr. Pamela Auble** asking whether a psychologist licensed in another state should come in and take an Ethics and Jurisprudence exam prior to serving as an expert witness. Ms. Putnam stated it was not necessary.

Ms. Putnam summarized T.C.A. 63-11-211(b)(5) Reciprocity stating that a psychologist from another state coming into Tennessee for no more than 12 days and if that psychologist is performing any of the five instances listed below does not need a Tennessee license to perform a Psychological evaluation or to give witness testimony.

(5) The board may permit a psychologist licensed in good standing in another state, who meets standards acceptable to the board, to perform the functions of §§ 63-11-203 and 63-11-208(d)(2)(B) and practice as a psychologist in Tennessee without possessing a current license for a period of time, not to exceed twelve (12) days per year, for such purposes as special training or consultation, special evaluation and/or intervention or serving as an expert witness. Nothing in this section shall be construed to permit the regular, repetitive or ongoing provision of psychological services, the supervision of psychological services or the solicitation or advertisement of services to the general public, all of which are governed by the usual and customary processes of licensure for psychologists.

Ms. Putnam referenced the policy statement concerning the temporary license and supervision for psychologists from other states coming into the state of Tennessee to give testimony and evaluations. Ms. Putnam recommends to remove the policy pertaining to expert witnesses and to refer them to the area of the statute that applies to them.

Discussion ensued concerning removing paragraph 3F from the rule 1180-02-.05 to remove the confusion surrounding a temporary license. Removing this rule could be added to fine tuning the CE rule and it was recommended to put this all in one rulemaking hearing.

In answer to Dr. Abule's question, there is no supervision required for individuals coming in to serve as an expert witness and therefore Dr. Auble would not be required to provide any type of supervision. No need to suggest to individuals coming in to take the E&J exam because they don't have requirements for supervision.

Dr. Mathis made a motion, seconded by Dr. Urbin to remove the policy and the motion carried. Ms. Wilkins will remove the policy. Ms. Putnam will work on a Policy Statement change.

Dr. Little asked who would monitor these doctors coming into our State temporarily during their twelve days and Ms. Putnam responded that it would be settled by the court. We would not have jurisdiction but would file a complaint with their state if a violation occurred.

Tennessee Colleague Assistance Foundation

Dr. Murphy Thomas, Tennessee Colleague Assistance Foundation, Chairman of the Board spoke of setting up collaborative peer consultation groups as being an alternative preventive source of dealing with issues.

ASPPB Spring Conference – April 27-30, 2017 in Memphis, TN

Up to three board members may attend the conference financed by the State plus the Board Director and Board Attorney. Dr. Pazar questioned if more board members would be allowed to attend. Ms. Wilkins will check into the possibility of having the State finance all Board members to attend. Mr. Hill suggested putting all board member's names on the list for the State to approve. In the event the State doesn't approve the entire list, Dr. Little, Dr. Joslin and Dr. Mazza will attend the conference.

The ASPPB sent Ms. Wilkins a list of specific topics of discussion and has asked the Board to rank them. She asked the Board members what they felt were the hot topics they would like to see discussed at the conference and to pick the top five. The Board picked "The conscious clause versus ethical standards", "Consistency in regulation of compact states", "EPPP timing", "Post-doc vs. no post-doc", "Accredited vs. non-accredited".

Rulemaking, Hearings, Rule Amendments and Polices

Dr. Pazar mentioned the notice of rulemaking hearing from 2015 on the telepsychology that Mr. Hill provided enabling everyone to have a copy of the language.

Ms. Wilkins stated that this is the actual notice. The Board does not have a final version of this notice which has been sent to the attorney general's office. There may be changes from this document. Ms. Wilkins will check with the rules coordinator in OGC and see if she will send a copy of the notice for the next board meeting and to mail out for review by the board if received in time.

Ms. Wilkins mentioned that Dr. Moore had questions concerning CE credits for attending a board meeting which evidently had been taken out of the rules a number of years ago. Ms. Wilkins asked the board to entertain a thought of not necessarily putting it back in the rules but if there was a way to streamline the CE's a little bit.

Dr. Pazar asked to have this put on the agenda for the next meeting to review. Dr. Urbin asked to include online CE's and APA credit. Ms. Putnam stated that online simply means anything on the computer. Ms. Putnam asked, "Does a policy statement need to be made or a rule change determining what is considered online?" Dr. Pazar asked for this to be added to the agenda for the next meeting. Ms. Wilkins suggested it may be the way the audit sheet is written. Dr. Pazar

stated the Board will look at the CE audit sheet and Dr. Mathis requested audit sheets be sent out to the Board Members before the next meeting for review.

Discuss Ethics and Jurisprudence Examination

Dr. Pazar re-addressed the Ethics and Jurisprudence Exam stating it needs to be an ongoing issue. Mr. Hill was not able get a report showing the pass/fail rate. This report will be provided at the next board meeting.

Dr. Pazar stated that in other states the Ethics and Jurisprudence exam is an online exam.

Ms. Wilkins stated that the Dental Board here in TN is currently working on an online exam. It is anticipated to be up and running in June. The consensus of this form of exam is to enable the applicants learn as they take the exam by providing the correct answers to questions missed. The applicant continues to answer questions until they get a total of 25 correct to pass the exam.

Ms. Wilkins will confer with Dea Smith, Dental Board Director and Jennifer Putnam with some recommendations as to this same method being applied for the Psychology Board. Ms. Wilkins will supply more information concerning this test. Ms. Putnam stated that all Health Related Boards will piggy-back onto the Dental Board Ethics and Jurisprudence exam program. Dr. Mathis wants to move forward with this form of exam. Dr. Pazar brought up the subject of a Task Force.

Ms. Putnam suggested that the Board take each chapter of the Rules and Statutes and determine which areas are pertinent for this profession, where the Board is seeing deficiencies and where applicants need to improve their knowledge. Ms. Putnam stated that the Board would need to get their questions together. They would need to determine as a Board in what form the questions would be presented. Would they be multiple choice, true/false, fill in the blank? Determining this will take a couple of meetings and possibly by then the Dental Board program will be online. Dr. Moore made the motion to form a Task Force. Dr. Mathis seconded the motion. The motion carried.

Discussion ensued concerning where and when the Task Force would be held. After much discussion, it was determined to forgo a Task Force and make the decision-making as part of the regularly scheduled Board Meetings. It was decided to conduct any business concerning the Ethic and Jurisprudence Exam online program after all other business was conducted and following a mid-day break. Dr. Moore moved to rescind the motion of a Task Force. Dr. Mathis seconded the motion. The motion to rescind carried.

With no other Board business to discuss Dr. Urbin made a motion, seconded by Dr. Little, to adjourn at 12:37 p.m. The motion carried.