

TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY

DATE: March 12, 2015

TIME: 9:00 a.m., CDT

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

BOARD MEMBERS

PRESENT: George Bercaw, Sr. Psychological Examiner, Chair
J. Trevor Milliron, Ph.D., Vice Chair
Pamela Auble, Ph.D.
Mark Loftis, Ph.D., Sr. Psychological Examiner
David C. Mathis, Ed.D.
Timothy Urbin, Ph.D.
Janice Pazar, Ph.D.

BOARD MEMBERS

ABSENT:

STAFF

PRESENT: Teddy Wilkins, Unit Director
Charles Custer, Board Administrator
Jennifer Putnam, Office of General Counsel
Tammy Turner, Board Administrator

Mr. Bercaw, Board Chair, called the Board meeting to order at 9:16 a.m. A roll call vote was conducted and a quorum was present.

Ms. Wilkins stated another Board is having an emergency teleconference meeting at noon and asked the Board if they would take lunch at that time so she could attend the teleconference.

Minutes

Mr. Custer stated due to a personal injury he was unable to prepare the December 18, 2014 minutes but will have them complete by the next meeting.

Office of General Counsel

Ms. Putnam stated there are no Consent Orders to present at this time.

Ms. Putnam discussed proposed legislation stating HB0387/HB0566 prohibits public institutions of higher education from disciplining or discriminating against a student in a counseling, social work, or psychology program because the student refuses to counsel or serve a client as to goals, outcomes, or behaviors that conflict with a sincerely held religious belief of the student.

Ms. Putnam said SB0556/HB0678 phases out the privilege tax on persons engaged in certain occupations by annually decreasing it by twenty (20) percent over the next five (5) years and eliminates the entire tax in 2019.

Upon review, the Board took no position on SB0556/HB0678.

Office of Investigations

Ms. Dorroh stated there are currently nine (9) complaint cases against Psychologists and two (2) complaint cases against Psychological Examiners.

Ms. Dorroh reviewed the currently monitored practitioners and stated her office is currently auditing those practitioners for compliance with the orders.

Financial Report

There is no Financial Report for the Board to review at this time.

Behavior Analyst Committee

Ms. Wilkins stated four (4) members have been appointed to the committee. The consumer member has not yet been appointed and because of the qualifications for the consumer member it may be a while before one is selected.

The chair of the committee will be a member of the Psychology Board.

Ms. Wilkins said she would send the Board members a copy of the statutes for the committee.

Administrative Report

Mr. Custer said as of March 9, 2015 there are 1378 Psychologists, 454 Psychological Examiners/Senior Psychological Examiners and 39 Certified Psychological Assistants. Since the last meeting seventeen (17) psychologists were licensed, eight (8) retired and six (6) expired licenses. One (1) Psychological Examiner upgraded to a Senior Psychological Examiner, two (2) retired and six (6) expired licenses. One (1) Certified Psychological Assistant was licensed and one (1) expired license.

New Licensees

Psychologists

Dr. Auble made a motion, seconded by Dr. Urbin, to approve the following newly licensed psychologists:

Sophia Haile Belay
Alsion Bigelow
Brooke Browning
Susan Sevier Buffington
Joan M. Frye
Kristen Marie Heil
Stephen William Lucente
Lorie Jane Morris
Tameika Turner Noland
Robert George Pazulinec
Alicia Anne Taylor
Maria Faye Walton
Kimberly Margaret Wesley

The motion carried.

Certified Psychological Assistants

Dr. Auble made a motion, seconded by Dr. Urbin, to approve the following newly certified Certified Psychological Assistants:

Molly Klein Boyce
Cory Clyde Koester
Meghan McCoy
Tara Moye Randolph

The motion carried.

Reinstated Psychologists

Dr. Urbin made a motion, seconded by Dr. Auble, to approve the following reinstated psychologists:

Thomas S. Hickey
Bruce A. McCurdy
Theresa Montgomery Okwumabuz

The motion carried.

Psychological Examiners

Dr. Auble made a motion, seconded by Dr. Pazar, to approve the following reinstated psychological examiner:

James C. Catlett

The motion carried.

Agreed Citations

The Board reviewed an Agreed Citation for **Thomas S. Hickey, Ph.D.**, who worked on an expired license. Dr. Hickey has agreed to the terms of the citation and paid all civil penalties. Dr. Urbin made a motion, seconded by Dr. Milliron, to approve Dr. Hickey's citation. The motion carried.

The Board reviewed an Agreed Citation for **Bruce McCurdy, Ph.D.**, who worked on an expired license. Dr. McCurdy has agreed to the terms of the citation and paid all civil penalties. Dr. Auble made a motion, seconded by Dr. Urbin, to approve Dr. McCurdy's citation. The motion carried. Dr. Loftis recused himself from voting.

Applicant Interview

Mr. Custer said the Board reviewed the psychology application for **Jeffrey Rutter** at the last meeting, at which time the Board requested a more current letter of recommendation and asked Dr. Rutter to attend the meeting to discuss discrepancies in his application and the type of work he did in Australia.

Dr. Rutter presented a current letter of recommendation from a colleague, Dr. Barker, who is also licensed in Australia.

Dr. Rutter stated he did a variety of academic and clinical work for the last ten (10) years and worked in West Virginia for two (2) years in an academic position. Dr. Rutter said he retired his Australia license but has maintained his license in Colorado and wants to obtain licensure in Tennessee through reciprocity.

Dr. Urbin made a motion, seconded by Dr. Auble, to approve Dr. Rutter for a temporary license and sit for the E & J exam. The motion carried.

Update from the Tennessee Colleague Assistance Foundation

Mr. Brian Wind stated **Laura Kathy Hernbeck, P.E.**, was referred to the foundation by the Board, due to a boundary violation, and had her license suspended for two (2) years. Mr. Wind said Ms. Hernbeck contracted with the TCAF for five (5) years and has undergone monitoring and treatment. Mr. Wind said it is the foundation's opinion that Ms. Hernbeck have her license reinstated and enter in the practice of psychology.

Ms. Putnam said in order for the suspension to be removed Ms. Hernbeck must file a petition for an order of compliance to be approved by the Office of Investigations. Ms. Hernbeck must also file a petition with the Board to have the suspension of her license removed and, until that is filed; the Board cannot remove the suspension to probation.

Correspondence

The Board reviewed a letter from the supervisor of **Marilyn Mercado, Ph.D.** requesting that she be given an extension of her provisional license due to three (3) failures of the EPPP examination. The Board asked Mr. Custer to send her supervisor a letter, copying Dr. Mercado, asking in what capacity Dr. Mercado is employed, informing her that she cannot work on an expired provisional license, ask if there is a language barrier with the exam and, if so, are special accommodations necessary, ask if her employer is helping her to study for the exam and inform her that she needs to contact the Board herself to request an extension and the length of the extension.

The Board reviewed a letter from **Marcie Breedlove, Ph.D.** requesting a temporary license to sit for the EPPP and E & J examinations. Dr. Breedlove had a provisional license which expired March 17, 2015 and has completed 2192 post-doctoral hours. Dr. Milliron made a motion, seconded by Dr. Mathis, to approve Dr. Breedlove for a temporary license. The motion carried.

The Board reviewed a letter from **Audrey Elion, Ph.D.** requesting an additional temporary license to sit for the EPPP and E & J examinations. Dr. Elion's temporary license expired December 31, 2014 and was granted an extension by Dr. Milliron through the end of March. Dr. Milliron made a motion, seconded by Dr. Loftis, to extend Dr. Elion's temporary license to September 30, 2015. The motion carried.

The Board reviewed a letter from **Alex Galloway, Ph.D.**, requesting reinstatement of his license or to retire his license. The Board determined they do not have the statutory authority to retire an expired license. Dr. Galloway is in Spain and has no way to complete his continuing education requirement for reinstatement. Dr. Galloway is requesting to obtain continuing education online or asking the Board to waive the requirement. Dr. Loftis made a motion, seconded by Dr. Pazar, to allow Dr. Galloway to obtain forty (40) hours on continuing education online. The motion carried.

Ms. Putnam stated that OGC is monitoring the North Carolina Dental Board Examiners vs. the FTC Supreme Court case. The Dental Board of Examiners issued cease and desist letters to kiosk teeth whitening companies in shopping malls. The teeth whitening companies contacted the FTC who ruled it was an anti-trust case behavior by a group of dentists trying to exclude the companies from the profession. The Supreme Court agreed with the FTC. Ms. Putnam said OGC will keep the Board informed on what, if anything needs to be done to prevent this from happening in Tennessee.

The Board requested a copy of the case decision. Ms. Putnam said she would send it to Mr. Custer for distribution to the Board members.

Tele-Psychology Rules

Dr. Milliron asked if it was legal to call a patient in Georgia that comes to his office in Tennessee for therapy. Mr. Mathis said you can call your client but you cannot conduct tele-psychology. Ms. Putnam stated the tele-psychology rule is for Tennessee licensed psychologists to treat Tennessee residents only and you must be licensed in Georgia to conduct tele-psychology. Dr. Auble said seventy-five (75%) percent of supervision can be conducted via tele-psychology. Dr. Mathis said in Tennessee it's against the law to record someone without their knowledge. Dr. Mathis said an interstate compact with other states would have to be approved through legislation. Dr. Loftis made a motion, seconded by Dr. Mathis, to accept the proposed rule language for tele-psychology with format corrections and proceed with a rulemaking hearing for September. The motion carried.

New Board Member Orientation Protocol

Dr. Mathis discussed the new Board member protocol he prepared for the Board members review. Ms. Putnam said the videos relate to contested case hearings and links to the various sites are included in the new Board member orientation package. Ms. Wilkins said Board member training will be scheduled for June.

Other Board Business

Ms. Wilkins introduced Tammy Turner stating she would be the Board's new Board Administrator. The Board welcomed Ms. Turner.

Ms. Wilkins stated there have been a lot of complications with travel reimbursements and have requested Board members to add LaTonya Shelton, Administrative Services Assistant 3, as a second proxy for travel to expedite the process. Ms. Wilkins said Tammy Turner will send the Board members a request to add her as a proxy also.

Ms. Wilkins reviewed the justification process for travel requests and suggested that Board members make room reservations as soon as possible, provided they are refundable, just in case the travel is not approved.

Ms. Putnam reminded Board members to leave the Board meeting area to discuss business that is not Board related so it will not be heard by those listening to the live streaming.

Review Licensure Files

Dr. Loftis made a motion, seconded by Dr. Auble, to approve **M. Boyce** to be issued a Certified Psychological Assistant certificate. The motion carried.

Dr. Auble made a motion, seconded by Dr. Loftis, to approve **James Hill** to be issued a Certified Psychological Assistant certificate pending receipt of documentation certifying he has a supervisor. The motion carried.

Dr. Urbin made a motion, seconded by Dr. Loftis, to approve **Danielle Graef, Ph.D.** to sit for the EPPP and E&J exams. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Auble, to approve **Paul Case, Ph.D.** to sit for the E&J exam pending receipt of a letter from Dr. Case regarding a recent charge on his criminal background check and review by the Board consultant. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Auble, to approve **Ashley Fournier-Goodnight, Ph.D.** to sit for the EPPP and E&J exams. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Auble, to approve **A. Lyon-Bramhall, Psy.D.** to sit for the EPPP and E&J exams. The motion carried.

Dr. Pazar made a motion, seconded by Dr. Auble, to approve **R. Hill, Ph.D.** to be issued a temporary license, and to sit for the EPPP and E&J exams. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Auble, to approve **K. Gotham, Ph.D.** to sit for the E&J exam. The motion carried.

Adjourn

With no other Board business to conduct, Dr. Auble made a motion, seconded by Dr. Loftis to adjourn at 1:51 p.m.

Ratified by a quorum of the Board on June 11, 2015.

**TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY
BOARD MEETING MINUTES**

DATE: March 13, 2014

TIME: 9:00 a.m., CDT

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

BOARD MEMBERS

PRESENT: Pamela Auble, Ph.D., Chair
Anita Davis, Ph.D.,
J. Trevor Milliron, Ph.D.
Mark Loftis, Ph.D., Sr. Psychological Examiner
George Bercaw, Sr. Psychological Examiner, Vice Chair
David C. Mathis, Ed.D.
Melissa Gay, Citizen Member

BOARD MEMBERS

ABSENT: Rodney Sullivan, Ph.D.

STAFF PRESENT:

Teddy Wilkins, Unit Director
Stacy Tarr, Administrative Services Assistant
Jennifer Putnam, Office of General Counsel

Dr. Auble, Chair, called the Board meeting to order at 9:00 a.m. A quorum was present.

Consent Order

Ms. Putnam presented a Consent Order regarding Mary Kathryn Black, Ph.D., license number 2072. The Respondent failed to adhere to the ethical principles necessary to protect a patient from harm, which is in violation of Tenn. Code Ann. §63-11-215(b) (1): Unprofessional, dishonorable or unethical conduct; and Tenn. Comp. R. & Regs. 1180-1-.09(1): A.P.A. Ethical Principles of Psychologists and Code of Conduct Standard 4.05 Disclosures.

The Respondent, for the purposes of avoiding further administrative action with respect to this case, agrees to the following: her license is Reprimanded effective the date of entry of this Consent Order and must enroll in and successfully complete twelve (12)

Type I hours of continuing education relative to ethics and reporting issues in addition to the CE hours required to maintain licensure. Respondent must also pay the actual and reasonable costs of prosecuting this case within thirty (30) days after the issuance of the Assessment of Costs unless arrangements are made for an extended payment plan through the Disciplinary Coordinator of the Division of Health Related Boards.

Mr. Bercaw made a motion, seconded by Dr. Loftis to approve the Consent Order. The motion carried.

Orders of Compliance

Ms. Putnam presented an Order of Compliance for Tony Franklin, Ph.D., license number 1882 requesting to be removed from probation.

Dr. Mathis made a motion, seconded by Dr. Loftis to approve the Order of Compliance. The motion carried.

Ms. Putnam presented an Order of Compliance for William Blackerby, Ph.D., license number 1231 requesting to be removed from probation.

Dr. Milliron made a motion, seconded by Dr. Loftis to approve the Order of Compliance. The motion carried.

Agreed Citation

The Board reviewed an Agreed Citation for Katherine Dittmann, Ph.D., license number 2640 for working on an expired license in excess of three (3) months. Dr. Dittmann was issued a civil penalty in the amount of \$300.00.

Mr. Bercaw made a motion, seconded by Dr. Milliron to approve the Agreed Citation. The motion carried.

Professional Privilege Tax

The Board requested a letter be sent to all licensees reminding them of the upcoming Professional Privilege Tax, which is due June 1, 2014.

New Licensees

Dr. Milliron made a motion, seconded by Mr. Bercaw, to approve the following newly licensed psychologists:

Erin Armour
Giovanni Billings
Andrew Bloch
Jennifer Caldwell

Stephen Lange
George Mitzner
Scott Swan
Beverly Whalen-Schmeller

Reinstatements

Mr. Bercaw made a motion, seconded by Dr. Loftis, to approve the following psychologists for reinstatement:

Katherine Dittmann
Mark Kleiman
Kushal Patel

Correspondence

The Board reviewed a letter from **Dr. Stephen Hopkins** requesting an extension on his temporary license. Dr. Milliron made a motion, seconded by Dr. Mathis to grant the extension. The motion carried.

The Board reviewed a letter from **Dr. Nicole Knickmeyer** requesting an extension on her provisional license. Dr. Milliron made a motion, seconded by Dr. Mathis to grant the extension for one year. The motion carried.

The Board reviewed correspondence from **Dr. Meghan Cody** requesting an extension of one year regarding her provisional license. Dr. Milliron made a motion, seconded by Mr. Bercaw to grant the extension. The motion carried.

The Board reviewed correspondence from **Dr. Elise Bradley** asking for an extension of her provisional license in order to prepare for the ethics and jurisprudence examination. Dr. Milliron made a motion, seconded by Dr. Loftis to extend the provisional license until May 2014. The motion carried.

The Board reviewed correspondence from **Dr. Jillian Wolf** asking for an extension of her temporary license in order to take and pass the EPPP. The Board asked that a letter be sent to Dr. Wolf requesting a letter from her supervisor and that her work meets the standards of a psychologist and she will be allowed an extension to take the EPPP.

The Board reviewed correspondence from **Dr. Dawn Beatty** regarding becoming a licensed psychologist. The Board decided to table the discussion of Dr. Beatty's application until the next board meeting.

The Board reviewed correspondence from **Dr. Elizabeth Goldfeder** regarding becoming either a licensed clinical psychologist or a psychological examiner. The Board stated that Dr. Goldfeder's internship must have been APA accredited or APPIC listed or equivalent.

The Board stated that the psychological examiner level of licensure is no longer being offered.

OGC Report

Ms. Putnam stated there is currently one (1) Consent Order to be presented today.

Ms. Putnam stated SB1202/HB0965 as introduced authorizes the Board of Examiners in Psychology to regulate the practice of telepsychology. On March 6, 2014, the bill was referred to the subcommittee of the Senate Health and Wellness committee.

Ms. Putnam stated that at the September 2013 meeting, the Board voted to amend Rule 1180-2-.04 Examinations to reflect that the EPPP will now be administered by the Association of State and Provincial Psychology Boards (ASPPB). The changes have been made and submitted into the review process.

Administrative Report

There are currently 1,358 active licensed psychologists, 474 active licensed psychological examiners/senior psychological examiners and 33 active certified psychological assistants.

From December 7, 2013 to March 6, 2014, one hundred (100) psychologists, twenty-one (21) psychological examiners, and no certified psychological assistant renewed their license online. Ms. Tarr asked the Board to encourage its colleagues to utilize the online renewal process, as it cuts costs and is an efficient way for licensees to renew their license.

Ms. Tarr stated that the continuing education audit is ongoing. Ms. Tarr stated that most licensees who are audited have been compliant; however, there are a few that are deficient regarding the Tennessee Rules and Jurisprudence component. Ms. Tarr stated that all those found to be non-compliant have made up the hours and submitted them after being notified of their deficiency.

New Licenses

Dr. Milliron made a motion, seconded by Mr. Bercaw, to approve the following newly licensed psychologists:

Erin Armour
Giovanni Billings
Andrew Bloch
Jennifer Caldwell
Stephen M. Lange
George B. Mitzner
Scott A. Swan

Beverly Whalen-Schmeller

The motion carried.

Mr. Bercaw made a motion, seconded by Dr. Loftis, to approve the following reinstated psychologists:

Katherine Dittmann
Mark E. Kleiman
Kushal Patel

The motion carried.

File Review

Dr. Milliron made a motion, seconded by Dr. Davis, to approve **April Nesin** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Loftis, to approve **Ryan Boddy** to sit for the EPPP and be issued a provisional license. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Loftis, to approve **Kristin Hiel** for a provisional license and to sit for the EPPP pending receipt a final transcript indicating her doctoral degree has been conferred. The motion carried.

Mr. Bercaw made a motion, seconded by Dr. Loftis, to approve **Dana Duggan** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Mathis made a motion, seconded by Dr. Loftis, to approve **Marci Breedlove** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Loftis made a motion, seconded by Mr. Bercaw, to approve **Lisa Jacola** to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Loftis made a motion, seconded by Dr. Mathis, to issue **Melissa Mowder** a temporary license and permit her to sit for the ethics and jurisprudence exam. The motion carried.

Dr. Loftis made a motion, seconded by Mr. Bercaw, to approve **John Pederson** to sit for the ethics and jurisprudence exam. The motion carried.

Dr. Loftis made a motion, seconded by Mr. Bercaw, to approve **Idia Thurston** for a provisional license and to sit for the ethics and jurisprudence exam. The motion carried.

Dr. Loftis made a motion, seconded by Mr. Bercaw, to approve **Scott Yaw** for a provisional license and to sit for the EPPP. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Loftis, to approve **Havah Schneider** to sit for the EPPP and the ethics and jurisprudence examination. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Loftis, to approve **Yuko Okado** to sit for the EPPP and the ethics and jurisprudence examinations. The motion carried.

Dr. Mathis made a motion, seconded by Ms. Gay, to approve **Alison Bigelow** for a provisional license and to sit for the EPPP. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Loftis, to approve **Tamara Raphaeli** to sit for the ethics and jurisprudence examination, pending receipt of documented hours on the pre-doctoral internship form, show that the internship is equivalent to that of an APA or APPIC approved internship and a letter of recommendation. Upon receipt of these items, Ms. Spitznas will inform Dr. Milliron that these deficiencies have been completed and request approval to schedule Dr. Raphaeli to sit for the ethics and jurisprudence examination. The motion carried.

Dr. Milliron made a motion, seconded by Dr. Loftis, to approve **Steven Thomas** to sit for the ethics and jurisprudence examination. The motion carried.

Other Board Business

With no other Board business to conduct, Mr. Bercaw made a motion, seconded by Dr. Milliron to adjourn the meeting at 3:30 p.m. on March 13, 2014. The motion carried.

Ratified by the Tennessee Board of Examiners in Psychology on June 12, 2014