

**TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY**

**DATE:** December 7, 2017

**TIME:** 9:00 a.m., CST

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

**BOARD MEMBERS**

**PRESENT:** Hugh D. Moore, Ph.D., Chair  
Todd Moore, Ph.D.  
H. R. Anderson, Jr., SPE  
Timothy Urbin, Ph.D.  
Rebecca Joslin, Ed.D., Ph.D.  
Connie Mazza, SPE  
J. Dale Alden, Ph.D.  
Michael Tonos, BCBA, LBA

**BOARD MEMBERS**

**ABSENT:** Jennifer Winfree, Consumer Member

**STAFF**

**PRESENT:** Teddy Wilkins, Unit Director  
Lisa Williams, Board Administrator  
Paetria Morgan, Office of General Counsel

Dr. H. Moore, Chair, called the meeting to order at 9:02 a.m. A roll call was conducted and a quorum was present.

**Minutes**

Upon review of the September 14, 2017 minutes, Dr. Joslin made a motion, seconded by Dr. Urbin, to approve the minutes. The motion carried.

**Financial Report**

Ms. Noranda French, Finance Office, presented the board with the closing financials for FY 2017 stating the Board has total expenditures of \$198,407.00. The board generated revenues of \$263,336.01. The board's current year net is \$64,955.95 with a cumulative carryover of \$1,068,495.91.

## **Investigative Reports**

Ms. Lori Leonard said on the summary of currently monitored practitioners there are five licensees on probation, one revoked, two suspended, four under consent or agreed orders and four under reprimand.

## **Office of General Counsel**

Ms. Morgan stated there are two consent orders and no agreed orders. There are three open cases in OGC and two will be presented today for ratification. There are no appeals in chancery court.

There is no legislation to discuss since Session is closed.

## **Consent Orders**

**David A. Rankin, PhD** worked on an expired license and had two statutory violations. These violations were unprofessional conduct and violation or attempted violation or conspiring to violate any provision of this board. The order is asking that his license be reprimanded, assessment of ten (10) type C civil penalties of \$100 each, pursuant with the board's policy on continuing education. Dr. Urbin made a motion to ratify the consent order as presented by Ms. Morgan, seconded by Mr. Tonos. Motion carried.

**Peter B. Young, PhD** had sexual relations during therapy sessions with two (2) different patients seeking therapy for sexual abuse. After treatments ended, Dr. Young then began sexual relationships with both patients. The grounds for discipline are unprofessional, dishonorable and unethical conduct, and violation of the board's ethical code. The terms of the consent order are to suspend the license for a period of not less than sixty days and until he undergoes an evaluation with the Tennessee Colleague Assistance Foundation (TCAF) or approved facility regarding his ability to safely practice psychology. He must also either obtain a five year monitoring agreement with TCAF or obtain a letter from TCAF denoting that is not a requirement for him to actually have their advocacy. If TCAF finds that he can safely practice psychology Dr. Young shall either obtain advocacy or present a letter conveying that advocacy is not recommended to the disciplinary coordinator and he can petition the board for an order of compliance to lift the suspension. Dr. Young must appear in person to answer questions the board may have and to present any documentation the board requires. Upon successful petition of an order of compliance lifting the suspension Dr. Young's license may be placed on probation for a period of not less than five years. If TCAF recommends that he enter into a contract, he must issue quarterly reports to the board's disciplinary coordinator. He must follow all TCAF recommendations and must maintain one hundred percent compliance with all provisions of his contract. He shall immediately notify the board's disciplinary coordinator if at any time he no longer has the advocacy of TCAF. During the terms of his probation he shall maintain good and lawful conduct in any violation of the law as it relates to the practice of psychology or his ability to safely and competently practice psychology will be a violation of order. At the expiration of the five-year probationary period he can petition for an order of compliance from this board. Dr. Young shall pay two type A civil penalties in the amount of one thousand dollars (\$1000.00)

each for a total of two thousand dollars (\$2000.00) for each patient discussed. He shall pay the actual and reasonable cost of prosecuting this case up to a maximum of four thousand dollars (\$4000.00). He must also complete within one (1) year of the effective date of this order, the course entitled "Maintaining Proper Boundaries" offered at Vanderbilt University Medical Center. This will be reported to the National Practitioner Data Bank. Dr. Joslin made a motion to ratify the consent order of Peter B. Young as presented by Ms. Morgan, seconded by Dr. Urbin. Motion carried.

### **Administrative Report**

Ms. Williams stated as of December 5, 2017 there are currently 1,422 licensed Psychologists, 395 licensed Psychological Examiners/Senior Psychological Examiners and 51 licensed Certified Psychological Assistants.

Ms. Williams said there are currently 23 Psychologists applications in process, 18 newly licensed, 149 renewals with 100 renewing online for a percentage of 67%. Ms. Williams said 4 retired, 4 expired and 1 reinstated their licenses.

Ms. Williams said there are currently no applications, or newly licensed, Psychological Examiners/Senior Psychological Examiners, 32 renewals with 23 renewing on line for a percentage of 72%. Ms. Williams said 2 retired, 3 expired and 2 reinstated their license.

Ms. Williams said there are currently 8 Certified Psychological Assistant application, 2 newly licensed, 2 renewed with 1 renewing online for a percentage of 50%. Ms. Williams said 0 retired, expired or reinstated their licenses.

Ms. Williams asked the Board members to sign their travel and per diem claims.

Ms. Williams stated the next scheduled Board Meeting is March 15, 2018 and the following dates have been scheduled for 2018:

- June 14, 2018
- September 13, 2018
- December 6, 2018

### **Discuss and Ratify/Deny Newly Licensed and Reinstated**

#### **Newly Licensed**

Dr. Joslin made a motion, seconded by Dr. Urbin to ratify the following newly licensed Psychologists:

**Autry Alicia L.**

**Battle-Gwathney Lisa K.**

**Blonder Megan A.  
Bowen Elizabeth Brock  
Cowan-Richardson Nakiesha  
Cyperski Melissa Ann  
Devereaux Robert Logan  
Gibbons Judith A  
Houston Jessica L.  
Miller Timothy P.**

**Paddock John Richard  
Stamey Natalie M.  
Surdock Amanda  
Tolliver Robert M  
Walsh Elizabeth Grace  
Wellman Sarah Elizabeth  
Wood Mary Elizabeth  
Yeh Vivian May-Whay**

The motion carried.

Dr. Joslin made a motion, seconded by Dr. Urbin to ratify the following newly licensed Certified Psychological Assistants:

**Nickel Melissa Marie  
Taylor Chelsea Anne**

The motion carried.

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

<u>Psychologist</u>	<u>Psychological Examiner</u>	<u>Sr Psychological Examiner</u>
<b>Jones Dan L.</b>	<b>Sloan Elizabeth Anne</b>	<b>Lewis Greg W</b>

The motion carried.

### **Newly Licensed Applied Behavior Analysts**

Dr. Joslin made a motion, seconded by Dr. Alden to ratify the following newly licensed Department of Intellectual and Developmental Disabilities (DIDD) behavior analysts:

Alvis Dustin P.  
Boyd Andrea  
Bush Cynthia Sadler  
Clark Vargas Laverne  
Crump Vernekie  
Davis-Webster Angelia  
Dilworth Angelique Vatoco  
Dodd Anne  
Dondhue Melanie Marion

Guffey Chad  
Henry Nichole Justine  
Huey Stacy Jannette  
Karmali Irfa  
Mazara Tiffany  
Morgan-Brown Darnethia  
Nelson Cedric Demaine  
Perez Marcus R.  
Poke Demetric  
Potterton Kieran M.  
Ray Sandra Ann  
Shrieves Gina Nicole  
Spencer Diana Kaye  
Taylor Stephen Andre  
Washington Shakeesha K.  
Williams-Sisk Cassandra  
Winters Keanna

The motion carried.

Dr. Joslin made a motion, seconded by Dr. Urbin to ratify the following newly licensed Board Certified Behavior Analysts:

Adair Alicia  
Adams Shemicka Renee  
Arkin Seth Andrew  
Axelroth Tara Lerner  
Axt Brandi  
Baggett Jenny  
Baine Katie Jackson  
Barnes Jane  
Beene Shiloh  
Bernier Terry Lynn  
Birdwell Sarah Nicole  
Black Ryan David  
Bledsoe Esther Plank  
Boyd Juricus  
Golas Melissa Danielle  
Brasfield Anna Marie  
Brewer Trudy  
Brooks Rebecca Marie  
Brooks Shelby Margaret Rose  
Brown Beverly Joyce  
Brown Jeremy David

Browning Loretta Kaye  
Buchanan Andrew  
Bunt Jeanette  
Burton Rebecca Michele  
Carr Dacey Lynn  
Carrell Kathleen  
Carter Stacy Lynn  
Cea Clayton Ray  
Cea Sandra Sepulveda  
Cervetti Kirk Michael  
Chan Hiu Fung Echo  
Chapple Elizabeth B.  
Clark Lindsay Anne  
Collins Jill Catherine  
Cripps Timothy Drew  
Crocker Krystal  
Davis Bruce Edward  
Denhartigh Christopher John  
Dewey Andrea Janelle  
Dowse Rachel  
Duncan Brianna Jordan  
Durako Emily  
Eason Tracey L.  
Elliott Amanda  
Ernst Rebeca  
Everett Rebecca Leigh  
Ferris Geoffrey  
Finlay Robert Thomas  
Forkum Laura Elizabeth  
Fox Lisa  
Fox Roderick Kingsbury  
Nesbitt-Decker Jennifer  
Otto Jason Thomas  
Overley Shannon Eric  
Palm Tracy  
Parrish Jennifer  
Partlo Ashley Noelle  
Peacock Carrie Gay  
Peacock Jennifer April  
Peacock Patricia Linnea  
Peets Robert Vardaman  
Pennington Shanon R.  
Peterson Lauren Michelle  
Pistole Alyson

Plunk Laura Cate  
Powell Jennifer  
Powers Cynthia Diane  
Pulliam Amy Kathryn  
Puskar Emily  
Putty Tamae  
Ribley Allison Mae  
Robbins Melita  
Robinson Alexis  
Rye Megaera  
Schamens Amy Jo  
Scretchen Pamela Cannon  
Shafer Rebecca Haynes  
Sheehan Kelly Ellen  
Shuster Constance  
Simcoe Kathleen Miller  
Smith Mary Anderson  
Smith William Randall  
Staub Mary Elizabeth  
Stepp Jenilee E.  
Sutton Angel Lashae  
Sweet Kelton Damon  
Talbert William James  
Taylor Juliet S.  
Thomson Richard Joseph  
Urbanczyk Amanda  
Vanderpool Emily  
Vanzant Jr. Darrell Green  
Vasquez Sarah Elizabeth  
Wallace Lisa A.  
Watkins Kelli  
Weaver Lauren  
Whitaker Mary Carter  
White Jane Poythress  
Wyatt Jennifer  
Zeleny Zara Elizabeth  
Zeller-Gonzalez Cynthia  
Zhou Liming  
Zimmerman Jay  
Ziolko Kayla  
a Braun

The motion carried.

Dr. Joslin made a motion, seconded by Dr. Urbin to ratify the following newly licensed Assistant Behavior Analysts:

Davis Tammy  
Finney Lindsay  
Walter Sarah

The motion carried.

### **Tennessee Colleague Assistance Foundation**

**Dr. Brian Wind, Tennessee Colleague Assistance Foundation**, presented an update on TCAF activities and progress. Since the last update there has been a consistent influx of inquiries from ethical questions to colleague assistance. Individuals currently under contract are eleven. Eight of the eleven individuals are referred by the board. TCAF also gets self-referrals. TCAF has three clients utilizing monitoring software as a pilot type currently for the past six months. It is working quite well. In contracting with the board for ten years, TCAF had their first report of withdrawal of advocacy for a contracted professional.

### **Applicant File Review**

Ms. Williams and Ms. Wilkins brought before the board a request from **Kevin Raper** to have his application considered for licensure. Mr. Raper's degree was obtained from a school that is not APA accredited. He also to date has not provided letters of recommendation from psychologists as per the rules. The board reviewed the documentation and found that he does not at this time meet all the requirements. After clarification and discussion, the board decided to offer Mr. Raper the opportunity to withdraw his application. This serves as a denial, but with the opportunity to withdraw the application. If he decides not to withdraw, the board has denied the application and he will be reported to the national practitioner data bank. Dr. Urbin made a motion, seconded by Dr. Tonos to allow Mr. Raper the opportunity to withdraw his application. The motion carried.

### **Correspondence**

Two letters of correspondence from Tommie Slayden and Jeffrey Bryant concerning Continuing Education (CE's) were discussed were reviewed. The board agreed with Ms. Wilkins suggestion to have administration respond back thanking them for them for their correspondence.

### **CE Audit Procedures**

Ms. Wilkins outlined the current procedures of continuing education audits. She stated a question was raised, "How random is random?" There is an audit unit and the boards in and of themselves have nothing to do with the audits or audit process. Different professions audit



different amounts of their licensees. The psychology board audits 15% of its licensees on the two-year rolling cycle. The Chiropractic board for example audits 100% of their licensees, which is very time-consuming to that staff. Most boards audit 5 %. There are differing percentages among different boards. A licensee is audited the month after they renew their license. Licenses are renewed every two years on a rolling cycle depending on the month of your birth and the year of your birth. The license expires the last day of your birth month and if you were born in an even year, the license expires in an even year and the odd year in an odd year. There will not be a set number of licensees renewing each month. If one happens to be in a group of renewals that is a lower amount it is more likely you will be pulled for and audit than someone who had a larger pool of licensees to draw from. Our LARS system pulls the names randomly. Occasionally people will get audited two times in a row. You are required to send copies of the required CE back which are checked for compliance. If you are compliant, you get a letter saying you are compliant. If you are deficient or you do not respond at all, the audit unit will send out a second letter stating they have not heard from you and please send in your CE's. If there is no response on the second letter, it is then sent out to the board staff and the board staff takes over and allows them one more chance to submit CEs or to make them up. If we don't get their CE's or they are not sufficient, an agreed citation will be sent fining them \$100 and it comes before the board as a violation of the CE policy. If they still totally ignore the staff and never respond, then it is sent to investigations and it eventually ends up in the Office of General Counsel where Ms. Morgan will try and attempt with a consent order or it could end up in front of the board as a contested case. The rules state that you have to keep the CE documentation for five years. When you renew, you have to attest that you completed the continuing education. When you are audited and you completed all your continuing education and you were honest and attested that you did it, it will not be a problem. The problem comes when you attest that you did the CE's, you are audited and you actually did not do the CE's.

### **Continuing Education Rules**

Dr. H. Moore stated that a CE Rules task force was formed. The task force created proposed guidelines and the board reviewed them. Dr. Alden stated that the task force reviewed the current rules, comments made in correspondence, known problematic issues with the rules with an attempt to be more consistent with the ASPPB enabling them to arrive at the proposed guidelines. Consideration was given to online CE's and also adopted some of the language from the ASPPB guidelines. The designation of Type 1, Type 2 and Type 3 for CE's was eliminated to simplify the CE's. New sources of CE's were added to the guidelines. A question was raised concerning the possible development of a peer consultation affidavit form being created. The board discussed the guideline draft of rules and some changes were made to the draft. Dr. H. Moore made a motion to accept the draft and suggested changes to the draft and to close the discussion, seconded by Dr. Urbin. The motion carried.

### **ASPPB Midyear Spring Conference – April 12-15, 2017 in Savannah, GA**

Ms. Wilkins addressed the ASPPB Conference being held in Savannah, GA in April. Three board members and two staff members may attend the conference. She mentioned last year's conference and that it was very informative. Ms. Wilkins suggested that the board nominate three board members and two staff members to attend and the individuals attending can be determined the beginning of next year. Dr. T. Moore, Mr. Tonos, Dr. H. Moore and Ms. Mazza

volunteered to be considered for attending the conference. Dr. Joslin made a motion to send three board members and two staff members to the ASPPB Midyear Conference in Georgia, seconded by Dr. Urbin. The motion carried.

### **New Business**

Dr. Urbin asked where the retirement affidavit form was located online and suggested making it more easily accessible. Ms. Williams stated that the form was located under applications. Ms. Wilkins suggested for anyone planning to retire their license to send in their retirement affidavit form close to the time they plan to retire and not to send it in early to avoid any confusion and possible pre-mature retiring of the license.

Dr. H. Moore introduced the subject of the ethical code and the amendments that have been presented in the past. He suggested having the ethical code put on the agenda for the next board meeting. Ms. Morgan stated that the board members need to review the current set of ethical codes dating 2003 and compare it to the amendments. The board can then decide at the next board meeting whether or not they would like to adopt the amendments. She stated if they chose the amendments they would need to formally adopt the amendments. She also stated that it would be a good time for the rulemaking to go up together and would probably be efficient with just one rulemaking hearing covering both of these things if you decide to adopt any of those amendments. The 2003 version of the ethical codes and the amendments will be sent to the board members for review.

With no other Board business to discuss Dr. Joslin made a motion, seconded by Dr. T. Moore, to adjourn at 12:38 p.m. The motion carried.

*Ratified by the Board of Examiners in Psychology on this the 15<sup>th</sup> day of March, 2018.*