



OREGON BOARD OF PSYCHOLOGIST EXAMINERS BOARD BULLETIN

Spring 2009



BOARD MEMBER RECRUITMENT IN FULL SWING!

The Board is recruiting for two (and maybe four) new Board members. Two current Board members, Terry Templeman (Pendleton) and Benson Schaeffer (Portland) will be leaving the Board in June, 2009. In addition, the Board has a piece of legislation going through the Legislature that will add two additional members: one public member and one professional member. While the Board is hopeful that our legislation will be successful, for now we know for sure that there will be two openings in June.

Board members influence the regulations guiding the practice of psychology in Oregon, and wrestle with significant ethical dilemmas facing psychologists in the field everyday.

If you have an interest in serving Oregon's psychological community and the public in this way, call Debra Orman McHugh for more information and an application. 503-373-1155. *✉* **Application Deadline: May 1, 2009** *✉*

We can throw stones, complain about them, stumble on them, climb over them, or build with them.

~William Arthur Ward

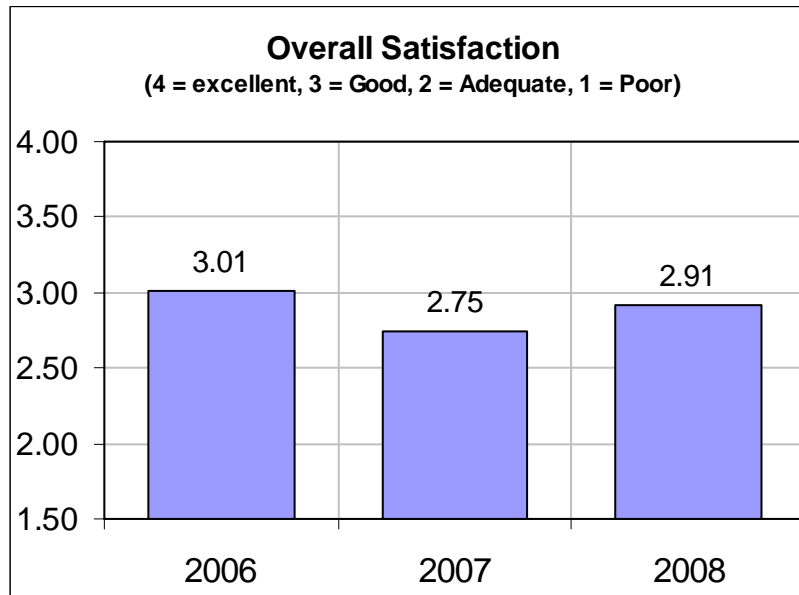
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JURISPRUDENCE EXAM UPDATE

We are very close to being able to administer the written exam several times per year! Our expert panel is meeting May 22, 2009 to finalize and rate (for difficulty) the newest items developed during the item writers workshop in November 2008. Our goal is to have a large item bank of questions that can be rotated to create several versions of the exam. *✉*

2008 CUSTOMER SERVICE SURVEY RESULTS



QUESTIONS / COMMENTS FROM THE SURVEY

1) INFORMATION ACCESS HAS IMPROVED, YET IT WOULD BE HELPFUL TO HAVE SOME DETAILED INFORMATION ON-LINE PER BOARD ACTION ETC.

You can access the most recent (approved) Public Session Board meeting minutes on-line. We have recently added a link to a “Monthly Disciplinary Report.” We are also compiling Board policies into a document and will add a link to access the most “Recent Board Policy Decisions.”



2) I WOULD LIKE TO BE ABLE TO SEARCH THE STATUTES BY SUBJECT MORE EASILY.

Kathy Mann, our Web Master is creating ‘Subject Matter’ links to the Administrative Rules on our website. This should make finding a topic much quicker. This will also allow us to link to sections of the Rules within other documents for reference.



3) I WOULD LIKE TO KNOW IF CE CREDIT WILL BE ACCEPTED BEFORE TAKING A COURSE.

There are two ways to determine if a continuing education course will be acceptable to the Board.

- 1) Review the “Brief Overview” at: http://www.oregon.gov/OBPE/CE_Overview_2009.pdf or, 2)
- You can call the Board’s office and ask. This is a change in policy from years past!



4) I AM DISAPPOINTED THAT THERE IS NOT MORE EFFORT TO ENFORCE THE PRACTICE ACT AND PRESS UNLICENSED COUNSELORS TO GET LICENSED.

The Board has directed staff to be more proactive in pursuing unlicensed practice cases. In 2008 we opened 36 complaints against unlicensed practitioners. (In 2006 we opened four complaints and in 2007 we opened six complaints). Last year we have focused primarily on anyone who is calling themselves a “psychologist” in advertising, as well as, those who claim to practice “psychology” or “psychotherapy” and are not licensed by any other Board.

LEGISLATIVE AGENDA

The Board has three Bills (proposed law) moving through the Legislature during the 2009 Legislative Session. Among others, these legislative concepts were introduced and discussed with licensees at the OBPE Legislative Forum in January 2008.

Senate Bill 173: Adds two additional Board member positions: One public member and one professional member. This bill also makes psychologist associates eligible for Board membership.

Rationale: Additional professional member will increase expertise available when deciding disciplinary cases. Additional public member will assist the Board with subcommittee work requiring a public member presence. Psychologist Associates are a licensee category without representation on the Board.

Senate Bill 174: Increases the civil penalty authority to \$10,000.

Rationale: More effective deterrent to unlicensed practice, and will help defray costly contested case hearings.

Senate Bill 175: Reduces exemptions to the OBPE Practice Act. This bill eliminates exemption to licensure law for: CMHP's; local, county and state government employees; and drug and alcohol program employees.

Rationale: Like nurses, medical doctors and other health care professionals, there should not be an automatic exemption due to the location of one's employment. This revision to current law would bring Ph.D. psychologists under the authority of the Board, and would ensure the practice of psychology was restricted to licensed psychologists.

As of March 20, 2009 SB 173 and SB 174 have passed out of the Senate and have moved over to the Oregon House of Representatives where they will, hopefully, be scheduled for a hearing in early May 2009. **If you have any questions about these bills, please contact Debra Orman McHugh, Executive Director, or any Board member.** ☺

If all possible objection must first be overcome, nothing significant will ever get done. ~Charles Kettering

Other Legislation of Interest to Psychologists

House Bill 2702: Authorizes State Board of Psychologist Examiners to issue certificate of prescriptive authority to certain licensed psychologists.

Sponsor: Oregon Psychological Association

House Bill 2059: Requires licensees to report prohibited conduct (due to impairment such as drugs, alcohol and mental health) to the Board.

Sponsor: House Interim Committee of Health Care, Representative Greenlick, Chair

House Bill 2056: Increases number of public members on Boards.

Sponsor: House Interim Committee of Health Care, Representative Greenlick, Chair

House Bill 2347: Prohibits Boards from assessing costs or attorney fees for disciplinary proceedings.

Sponsor: House Interim Committee of Health Care, Representative Greenlick, Chair

House Bill 2346: Limits authority of Boards to conduct mental, physical or competency examinations.

Sponsor: House Interim Committee of Health Care, Representative Greenlick, Chair

Residency-Supervision Fact or Fiction?

Q: Do I need a supervision contract approved by the Board before I start my residency?

A: Yes, you must have a Board approved contract--unless you are in an "exempt setting."

Q: Can I start counting my hours before I turn in my application?

A: No. Your application must be approved before a contract can be approved--unless you are in an "exempt setting."

Q: How do I know if I am in an exempt setting?

A: First check with the organization management. Currently, exempt settings are city, county state and federal agencies; CMHP's; drug & alcohol programs and school districts. You must be an employee of the exempt setting to qualify.

Q: Who approves the supervision contracts?

A: This task has been delegated to Board staff that approves routine contracts. Unusual circumstances, for example, prior discipline; questionable reference forms; disclosures regarding prior criminal conduct or other concerns at the discretion of the Executive Director are brought to the Board.

If you are working in an exempt setting you may start "counting" your hours and do not need a Board approved supervision contract.

Q: Can I change supervisors?

A: Yes. You must send in a request to change your supervisor. In addition, you must notify the Board if there are any changes in your supervision arrangements.

Q: Does my supervisor co-sign everything?

A: Yes. All reports, assessments, correspondence--basically anything that will or could leave the office.

Q: As a resident, what can I call myself?

A: The only permissible title is "psychologist resident." This title should always be on business cards and letterhead and/or signature line of correspondence as well.

Q: Do I need supervision every week?

A: Yes, if you see clients you must have supervision.

Q: How many hours per week do I need supervision?

A: You must have at least one hour of *individual* supervision each week that you work. However, if you work 1-20 hours/week one hour of supervision is sufficient. If you work 21 or more hours/week you must have two hours of supervision. One of those hours may be group supervision.

This is a recent change in Administrative Rule regarding residency supervision.

The speed of communications is wondrous to behold. It is also true that speed can multiply the distribution of information that we know to be untrue.

~Edward R. Murrow

Q: What is the role of the associate supervisor?

A: The associate supervisor steps in when the primary supervisor is unavailable—for *any* reason.

Q: Can my supervisor supervise me from another State?

A: No.

∞ DISCIPLINARY ACTIONS ∞

March 1, 2008 – March 1, 2009

Allen E. Patterson ~ Unlicensed Practice

Unlicensed practice; Use of term “psychotherapist”; Holding himself out to be a psychologist with a “diploma mill” degree.

\$1,000 Civil Penalty -- **Proposed**

David Oas, Ph.D. ~ Multiple Relationships; Failure to Obtain Informed Consent; Failure to Avoid Harm; Probation Violation.

Emergency Suspension

Kris Teshera, Ph.D. ~ Practicing as a resident without a resident contract.

Reprimand & \$1,000 Civil Penalty -- **Final Order**

James Dodson ~ Practicing as a resident without a resident contract; Billing fraud.

Denial of Licensure -- **Final Order**

Elizabeth Leeberg, Ph.D. ~ Supervising a resident without resident contract.

Reprimand, Continuing Education & \$500 Civil Penalty -- **Final Order**

Rory Richardson, Psy.D. ~ Practicing outside scope of practice; Professional opinion without Adequate Foundation; Unprofessional Conduct.

Reprimand, Supervised Practice, Continuing Education & \$1,000 Civil Penalty -- **Final Order**

Daniel Carpenter, Psy.D. ~ Boundary Violation; Failure to Avoid Harm; Unprofessional Conduct; Incompetence.

Reprimand, Supervised Practice, Continuing Education & \$1,000 Civil Penalty – **Proposed**

NOTE: OBPE DISCIPLINE DOCUMENTS MAY BE FOUND IN THEIR ENTIRETY AT WWW.OREGON.GOV/OBPE UNDER “LICENSEE LOOKUP.”

2008 COMPLAINT & DISCIPLINE STATISTICS

COMPLAINTS FILED

01/08 - 12/08

APPLICANTS: 3

LICENSEES: 45

UNLICENSED PRACTICE: 36*

TOTAL: 84

*Use of words such as “psychologist” and “psychotherapy” to describe services by individuals not licensed by any State agency. Investigation resulted in Cease & Desist letter and attestation to not violate ORS 675.010 in the future.

DISCIPLINE STATUS

01/08 - 12/08

DISMISSED: 58 (Some carried over from 2007)

PROPOSED DISCIPLINE: 8*

FINAL DISCIPLINE: 2

UNDER INVESTIGATION: 37 (As of 12/08)

*Seven of these cases were in the contested case hearing process as of 12/08.

Congratulations!

The following individuals passed the Oregon Jurisprudence Examination administered on October 17, 2008:

| | | |
|---------------------------|--------------------------|-----------------------|
| BERGREEN, ERIC Wm. | HERREMEN, REBECCA J. | ROSCOE, LAUREN J. |
| BESING, STEVEN | IVAN, ANCA M. | SAVATTA, NOELLE A. |
| BLUMENTHAL, PATRICIA A. | JAMES, WILLIAM J. | SCHLIEVERT, KIM |
| CAMPBELL, KAREN A. | JOHNS, DONNA J. | SCHWARTZ, MARK F. |
| CORBETT, CHRISTOPHER R. | KASSAB, FIORELLA | SCOTT, BJ |
| DETWEILER-BEDELL, JERUSHA | LAGATUTTA, ROBERT J. | SEWELL, KENNETH B. |
| DOMINGUEZ, ELIZABETH | LILLY, JEANNE | SHERBOURNE, BOYD D. |
| DUNCAN, ALEXANDER | LIM, MAY | SIMS, JANET M. |
| FEHRER, FREDERICK C. | MARKOVICS, CAROL B. | SMITH, DOUGLAS |
| FISHER, PHILIP | MORTON, CRAIG | STAGNER, TED |
| GOVERT, PAUL | MULLER, KAREN H. | STARR, AMANDA H. |
| GREGOR, JOEL A. | NOONAN, KATHERINE M. | TEMPEY, DAMON F. |
| GROSE, CORY C. | OCCHIPINTI, CAROLYN ANNE | UCHISON, THERESA S. |
| HARMAN, ANGELA L. | OLSON, MEGAN L. | UMPHRED, CONSTANCE B. |
| HARTMAN, BRIAN D. | REITER, DORINE R. | WEGER, HOLLY HETRICK |
| HAUGEN, DENISE LOPEZ | ROLNICK, STEVEN R. | WILLEFORD, CAROL S. |

CHILD ABUSE REPORTING FOR PSYCHOLOGISTS

As a mandatory reporter, if you suspect a child with whom you have had contact is being abused or a person has abused a child, you must tell either the Department of Human Services or a law enforcement agency (city or state police, sheriff or county juvenile department).

Those individuals who have been granted the right of privileged communication by ORS 40.225 to 40.295 are not required to report information about abuse if the information is gained in a situation where the professional/client relationship is protected.

Exemption for privileged communication applies only to: Psychiatrists, Psychologists, Clergy and Attorneys.

For more information: Visit the Department of Human Services website at www.oregon.gov/DHS/children/abuse.

BOARD TO ATTEND OPA CONFERENCE

The Board will conduct a Town Hall meeting at the Oregon Psychological Association's annual conference in Eugene on May 8, 2009. Board members and staff will discuss Board sponsored Legislation and other initiatives, and will respond to any questions from the audience.

COMPLIMENTS FROM THE FIELD...

- › Your office helped correct an oversight with receipt of my 2009 license. Oversights occur and your response was prompt, cordial and efficient. Thank you
- › My experiences with Kelli were wonderful. She was helpful, quick to reply to questions, professional, and cordial.
- › I have no complaints and I think you are doing a good job with what is probably a high volume of work. Thank you!
- › I recently moved from Illinois, and I have been so pleased with the responsiveness and competency of the Oregon Board.
- › Karen Berry is a real asset to the Board and the profession.
- › Thanks too that typically someone in the office answers the phone in person and can help immediately. I really appreciate that!!
- › I appreciate the service I have received. In particular, Kathy Mann has done an outstanding job. The website has been updated and it is helpful that all materials can be found on-line now.
- › Great Job! Keep up the good work. I'm very pleased with the customer service the OBPE has currently provided.

ELECTRONIC COMMUNICATION FROM THE BOARD

- 1) Make sure you have **OBPEeNews@listsmart.osl.state.or.us** on your email "safe list." We send nearly all flyers, policy and law updates, and alerts via this ListServe.
- 2) Note: You cannot "reply" to **OBPEeNews@listsmart.osl.state.or.us**. This is a one-way communication tool from us to you! If you have a question about the content, please email Kelly at kelli.kelly@state.or.us.

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