

Public Session Board Meeting Minutes

February 1, 2013
3218 Pringle Road SE
Salem, OR 97302

Members Present: Shane Haydon, Ph.D., Chair
Fran Ferder, Ph.D., Vice Chair
David Wade, Psy.D.
Daniel Munoz, Ph.D.
Linda Sherman, Ph.D.
Kent Anderson, Public Member
James Hendry, Public Member

Excused: Roger Carlson, Ph.D.
Lawanda Manning, Public Member

Legal Counsel: Warren Foote, AAG

Staff: Becky Eklund, Interim Executive Director
Karen Berry, Investigator
LaRee Felton, Program Analyst
Ashlie Rios, Office Specialist

Guests: Nancy Taylor Kemp, Ph.D., OPA Liaison
Opal Bontrager, DAS Accountant
Jenny Carson-Phillips, DAS Accountant
Jason Wells, License Applicant
Christian Wolff, Licensed Psych. Associate
Jim Gardner, Gardner & Gardner

INTRODUCTIONS/ROLL CALL

Dr. Haydon called the Board of Psychologist Examiners Public Session meeting to order at 1:03 p.m. on Friday, February 1, 2013, at the Board's office at 3218 Pringle Road SE, Salem, Oregon 97302.

FINANCIAL UPDATE

Opal Bontrager and Jenny Carson-Phillips from Department of Administrative Services, Shared Client Services (the Board's accountant) reported on OBPE's 2011-2013 budget with revenue and expenditure projections through the end of the biennium. According to the data, the OBPE is within budget.

PUBLIC COMMENTS

Christian Wolff, Licensed Psychologist Associate, expressed his concern for psychologist associates and equal opportunity for them to fall under the Licensure by Endorsement Rule. He would like to see more inter-state mobility for psychologist associates.

MEETING MINUTES

November 16, 2012 Regular Meeting, Public Session

Jim Hendry moved and Fran Ferder seconded a motion to accept the minutes as submitted. The motion passed unanimously.

CONSUMER PROTECTION CASES

Case #2009-030 & 2010-106: Kent Anderson moved and Linda Sherman seconded a motion that the supervision of both licensees be removed. The motion passed unanimously.

Case #2009-057 & 2011-042: Jim Hendry moved and Fran Ferder seconded a motion to issue a Notice of Proposed Disciplinary Action with a \$ 10,000 fine. Roll Call: Munoz-aye; Sherman-aye; Anderson-aye; Hendry-aye; Ferder-aye; Haydon-aye; Wade-nay. The motion passed with one nay vote.

Case #2011-038: Jim Hendry moved and Fran Ferder seconded a motion to issue a Notice of Intent to Impose Civil Penalty in the amount of \$ 5,000. The motion passed unanimously.

Case #2011-037: Jim Hendry moved and Fran Ferder seconded a motion to issue a Default Final Order with a \$ 2,500 fine. Roll Call: Munoz-aye; Sherman-aye; Anderson-aye; Hendry-aye; Ferder-aye; Haydon-aye; Wade-nay. The motion passed with one nay vote.

Case #2011-064: Fran Ferder moved and Jim Hendry seconded a motion to issue a Notice of Proposed Disciplinary Action with a \$ 2,500 fee. The motion passed unanimously.

Case #2012-015: Jim Hendry moved and Linda Sherman seconded a motion to dismiss with a letter of concern. The motion passed unanimously.

Case #2012-014: Kent Anderson moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

Case #2012-016: Fran Ferder moved and Linda Sherman seconded a motion to dismiss. The motion passed unanimously.

Case #2012-023: Kent Anderson moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

Case #2012-026: Fran Ferder moved and Linda Sherman seconded a motion to dismiss. The motion passed unanimously.

Case #2012-043: Fran Ferder moved and David Wade seconded a motion to dismiss with a letter of concern. The motion passed unanimously.

Case #2012-052: Kent Anderson moved and Linda Sherman seconded a motion to dismiss. The motion passed unanimously.

Case #2012-053: Jim Hendry moved and Fran Ferder seconded a motion to issue a 30-Day letter. The motion passed unanimously.

Case #2012-056: Linda Sherman moved and Fran Ferder seconded a motion to dismiss with a letter of concern. The motion passed unanimously.

Case #2012-058: Kent Anderson moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

Case #2012-062: Linda Sherman moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

Case #2012-064: Fran Ferder moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

Case #2012-067: Jim Hendry moved and Kent Anderson seconded a motion to issue a 30-Day letter. The motion passed unanimously.

Case #2012-068: Fran Ferder moved and Linda Sherman seconded a motion to issue a 30-Day letter. The motion passed unanimously.

Case #2012-055: Kent Anderson moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

Case #2012-059: Fran Ferder moved and Kent Anderson seconded a motion to dismiss. The motion passed unanimously.

THIRTY-DAY INVESTIGATION EXTENSIONS

Jim Hendry moved and Kent Anderson seconded a motion to grant extensions in the following cases. The motion passed unanimously.

2009-057, 2010-110, 2011-038, 2011-042, 2012-014, 2012-015, 2012-016, 2012-023, 2012-026, 2012-030, 2012-040, 2012-043, 2012-050, 2012-052, 2012-053, 2012-054, 2012-055, 2012-056, 2012-057, 2012-058, 2012-059, 2012-061, 2012-062, 2012-063, & 2012-064.

REPORTS FROM COMMITTEES

1. Licensing Committee

Board staff reported that 86% of the license audit cases are resolved.

2. Education Committee

Education Committee received a few clarifying questions from the Laws & Rules Committee. They reviewed, answered, and sent them back. They also discussed the difference between practicum and internship and advised Board staff that if an applicant does not meet the “Internship” requirements from their graduating University, then they can be held to the practicum standards.

3. Law & Rules Committee

The Laws & Rules Committee reported that their last meeting involved reviewing and cleaning up any complications and language in our rules. No substantive changes were made but made for more efficient enforcement. The proposed administrative rules include more definitions to be more user friendly. Board staff also noted that the committee added new DSM terms & definitions and that an application could not be approved if a complaint is opened against them.

ADMINISTRATIVE RULEMAKING

Proposed Rule Caption: Modifies requirements for licensure by endorsement, education and exam; clarifies criteria for complaint rejection.

Kent Anderson moved and Linda Sherman seconded a motion to adopt the new proposed rule with additions that 1) 858-010-002(8) delete the dates, 2) 858-020-0025 delete the last sentence, and 3) 858-020-0105 delete the last sentence. The motion passed with one abstention from David Wade.

PUBLIC COMMENTS

Jim Gardner, Gardner & Gardner, addressed the Board regarding regionally accredited schools and their students who are/will apply for licensure in Oregon. He asked for the Board's consideration regarding the applicants who are stuck in the "pipeline" and allow rule exceptions for those applicants.

LEGISLATIVE ISSUES

Ms. Eklund distributed a summary of bills before the legislature that would affect psychologists or the Board. The Board's budget is scheduled for a public hearing on Tuesday, February 12, 2013; Becky Eklund and Shane Haydon will present testimony about the Board and its proposed budget..

CATEGORY B

Fran Ferder reported on a possible interim rule that addresses applicants that have fallen through the cracks. This rule would apply to new graduates who began their graduate psychology studies prior to January 2012 and whose educational program does not meet the current educational rules passed in September 2011. The Board discussed the pros and cons and decided that the Laws & Rules Committee needed to review this document further and draft a rule that was clean and clear before voting.

VOTE TO APPROVE LICENSES

Jim Hendry moved and Linda Sherman seconded a motion to approve licenses issued since the November 2012 Board meeting. The motion passed unanimously.

STATISTICS

Board staff reported on 2012 statistics for the OBPE regarding licensees and applicants.

Adjourned at 2:47 p.m.

Respectfully Submitted:

// Becky Eklund //

Becky Eklund, Interim Executive Director

4/1/13

Date