



Oregon

John A. Kitzhaber, MD, Governor

Oregon Board of Psychologist Examiners

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Public Session Board Meeting Minutes

September 28, 2012

**Metro Regional Center
600 NE Grand Ave. · Room 501
Portland, OR 97232**

- Members Present:** Shane Haydon, Ph.D., Chair
Fran Ferder, Ph.D., Vice Chair
David Wade, Psy.D.
Kent Anderson, Public Member
Roger Carlson, Ph.D.
Linda Sherman, Ph.D.
James Hendry, Public Member
Daniel Munoz, Ph.D.
- Excused:** Lawanda Manning, Public Member
- Legal Counsel:** Warren Foote, AAG
- Staff:** Randy Everitt, Interim Executive Director
Karen Berry, Investigator
LaRee Felton, Program Analyst
Sylvie McMillan, OHLA
- Guests:** Nancy Taylor Kemp, Ph.D., OPA Liaison
Christian Wolff, M.A.

Call to Order

Dr. Haydon called the Board of Psychologist Examiners regular meeting to order at 1:05 p.m. on Friday, September 28, 2012, at the Metro Regional Center at 600 NE Grand Avenue, Room 501, Portland, Oregon 97232.

I. Public Forum

- Mr. Wolff wished to reestablish his presence with the Board. He discussed recent changes to Board composition and rule changes. He explained that psychologist associates are looking for a vendorship law and wishes to get the Board and OPA on board. He expressed concern that Behavior Analyst Legislation was intended to replace psychologist associates.

II. New Board Members

Dr. Haydon welcomed new Board members Daniel Munoz, Ph.D. and

III. Board Elections

Moved: Anderson; Second: Sherman; **Action: Reelect Dr. Hayden as Board Chair and Reelect Dr. Ferder as Vice-Chair.** In Favor: Unanimous; Opposed: None; Abstention: None.

IV. Consumer Protection Votes

- **Case #2009-035 & 2010-007** – Moved: Ferder; Second: Carlson; **Action: Issue Final Order.** Roll Call: Sherman- Aye; Hendry- Nay; Carlson- Aye; Anderson- Nay; Ferder- Aye; Haydon- Aye; Wade- Aye; Munoz- Aye.
- **Case #2011-069** – Moved: Anderson; Second: Wade; **Action: Close Case.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2009-057 & 2011-042** – Moved: Hendry; Second: Ferder; **Action: Issue 30-Day Letter.** Roll Call: Sherman- Aye; Hendry- Aye; Carlson- Aye; Anderson- Aye; Ferder- Aye; Haydon- Aye; Wade- Aye; Munoz- Aye.
- **Case #2012-005** – Moved: Anderson; Second: Haydon; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-006** – Moved: Hendry; Second: Anderson; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-011** – Moved: Anderson; Second: Sherman; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-017** – Moved: Ferder; Second: Anderson; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-025** – Moved: Anderson; Second: Ferder; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-031** – Moved: Ferder; Second: Carlson; **Action: Issue 30-Day Letter.** Roll Call: Sherman- Aye; Hendry- Aye; Carlson- Aye; Anderson- Aye; Ferder- Aye; Haydon- Aye; Wade- Aye; Munoz- Aye.
- **Case #2012-035** – Moved to issue 30-day letter: Hendry; No second; motion fails.
- **Case #2012-039 & 2012-048** – Moved: Anderson; Second: Hendry; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-045** – Moved: Hendry; Second: Ferder; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-046** – Moved: Anderson; Second: Sherman; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-047** – Moved: Anderson; Second: Ferder; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.

- **Case #2012-048** – Moved: Anderson; Second: Hendry; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-051** – Moved: Anderson; Second: Sherman; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Application #11-09** – Moved: Ferder; Second: Carlson; **Action: Deny Applicant's Request.** Roll Call: Sherman- Aye; Hendry- Aye; Carlson- Aye; Anderson- Aye; Ferder-Aye; Haydon- Aye; Wade- Aye; Munoz- Aye.
- **Application #12-12** – Moved: Hendry; Second: Carlson; **Action: Issue Notice of Intent to Deny License.** Roll Call: Sherman- Aye; Hendry- Aye; Carlson- Aye; Anderson- Aye; Ferder-Aye; Haydon- Aye; Wade- Aye; Munoz- Aye.
- **Application #12-17** – Moved: Hendry; Second: Ferder; **Action: Sustain Reviewer's Decision.** Roll Call: Sherman- Aye; Hendry- Aye; Carlson- Aye; Anderson- Aye; Ferder-Aye; Haydon- Aye; Wade- Aye; Munoz- Aye.
- **Application #12-29** – Moved: Anderson; Second: Hendry; **Action: Sustain Reviewer's Decision that Application is Incomplete.** Roll Call: Sherman- Aye; Hendry- Aye; Carlson- Aye; Anderson- Aye; Ferder-Aye; Haydon- Aye; Wade- Aye; Munoz- Aye.
- **Application #12-09** – Moved: Hendry; Second: Ferder; **Action: Issue Notice of Intent to Deny License.** Roll Call: Sherman- Aye; Hendry- Aye; Carlson- Aye; Anderson- Aye; Ferder-Aye; Haydon- Aye; Wade- Aye; Munoz- Aye.

V. Thirty Day Investigation Extensions

Moved: Hendry; Second: Anderson; **Action: Grant the following investigation extensions pursuant to ORS 676.165(4):** 2009-057, 2010-110, 2011-037, 2011-038, 2011-042, 2011-062, 2011-063, 2011-064, 2011-068, 2012-005, 2012-006, 2012-011, 2012-014, 2012-015, 2012-017, 2012-023, 2012-025, 2012-027, 2012-028, 2012-030, 2012-031, 2012-032, 2012-034, 2012-035, 2012-039, 2012-040, 2012-041, 2012-042, 2012-043, 2012-045, 2012-046, 2012-047, 2012-048, 2012-049, & 2012-050.
In Favor: Unanimous; Opposed: None; Abstention: None.

VI. 2013-15 Affirmative Action Plan

The Board decided that the plan has some corrections which need to be made before the plan will may voted on.

VII. Budget

Ms. McMillan explained that the Board's ending cash balance for August was about \$43K. Based on the Board's spending habits, it is expected that expenditures will exceed the budget. Board staff is preparing to go to the E-Board to ask for additional limitation. Mr. Everitt explained that the Board had unanticipated costs in the areas of state service agreements and DOJ expenses as a result of contested case hearings.

VIII. Licensee Matters

- **Steven A. Stwertka, Ph.D.**

Moved: Anderson; Second: Hendry; **Action: Reactivate License #1513 upon licensee's successful completion of the Oregon Jurisprudence Exam.** In Favor: Unanimous; Opposed: None; Abstention: None.

- **Dorothy N. Knapp, Ph.D.**

Moved: Anderson; Second: Hendry; **Action: Reactivate License #942.** In Favor: Unanimous; Opposed: None; Abstention: None.

IX. Board's 2013 Calendar

The Board discussed some proposed meeting dates and decided to postpone the vote for the November meeting.

X. Strategic Outlook

Mr. Everitt discussed the Board's vision over the next 10 years, and how the Board will position itself within the health community. The Governor is interested in health care, however it is unclear the ultimate goal in terms of boards and commissions. How the Board conducts its daily business is not set in stone. There is a need for transparency. Also, there is much detailed work that can be done by committees prior to the bimonthly regular meetings. Mr. Foote noted the importance of following public meetings law for committee meetings as well. The Board discussed some recent confusion surrounding public meetings law.

XI. Legislative Concept

Ms. Felton discussed the Board's legislative concept (#339). The concept is designed to close some of the loopholes in the exemptions to the psychologist licensure requirement, and also clean up some of the language. The current law allows psychology graduate students to render services to the public without any professional oversight. The measure would require them to practice psychology only for academic credit as part of an organized and supervised training program. LC 339 would also broaden the student exemption to cover master's level graduate students. The Governor's office has again asked that agencies remain neutral on all bills, with the exception that the Board can take a position supporting our own concept. The concept will be presented by Board staff to the legislature, and session starts February 4, 2013.

XII. Statistics

- 1) Licensure

74 new applications have been received and 27 licenses have been issued in 2012.

There are currently 1637 total licensees, including 1267 active, 193 semi-active, 170 inactive, 5 on probation and 2 suspended.

New licensees since last meeting:

Deborah Pack-Patton, Psy.D.; Kory D. Hemenway, Psy.D.; Mikala L. Saccoman, Ph.D.; Pamela G. Sheffield, Psy.D.; Paul M. Guinther, Ph.D.; Ryan D. Kuehlthau, Psy.D.; Julianna N. Machell, Psy.D.; Juliette L. Cutts, Psy.D.; Laura A. Edwards-Leeper, Ph.D.; Lee R. Hutson, Ph.D.; Donna S. Fogg, Psy.D.; Brian C. Chao, Psy.D.; Meghan K. McLain, Psy.D.; Megan E. Ogle, Psy.D.; Marina Valdez, Ph.D.; Geoffrey Lane, Ph.D.; Dawn S. Whitman, Psy.D.; Jed P. Grodin, Ph.D.; Melinda A. Brooks, Psy.D.; & Amanda J. Grovert, Psy.D.

2) **Consumer Protection**

60 complaints have been filed in 2012. There are currently 53 open cases under investigation (including the investigation files scheduled for Board consideration), with 5 in the contested case process. Of the open cases under investigation, 40 are regarding licensed practice (including 2 applicants) and 13 are regarding unlicensed practice.

Adjourn at 3:07 p.m.

Respectfully Submitted:

Becky Eklund, Interim Executive Director

Date