



# Oregon

John A. Kitzhaber, MD, Governor

**Oregon Board of Psychologist Examiners**  
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## Public Session Board Meeting Minutes

**November 14, 2014**

The Grand Hotel at Bridgeport  
7265 SW Hazel Fern Rd.  
Portland, OR 97224

<b>Members Present:</b>	Fran Ferder, Ph.D., Chair Patricia Bjorkquist, Ph.D. Peter Grover, Ph.D. James Hendry, Public Member Sandra Jenkins, Ph.D. Dorothy Mellon, Public Member Daniel Munoz, Ph.D. Devin Salinas, Public Member
<b>Members Absent:</b>	Anne-Marie Smith, Ph.D.
<b>Legal Counsel:</b>	Warren Foote, AAG
<b>Staff:</b>	Randy Harnisch, Interim Executive Director Karen Berry, Investigator LaRee Felton, Program Analyst Ashlie Rios, Office Specialist
<b>Guests:</b>	Ryan Dix, Psy.D., OPA Liaison Christian Wolff, M.A. Amy Hollis, Gardner & Gardner

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## **INTRODUCTIONS/ROLL CALL**

Dr. Ferder called the Oregon Board of Psychologist Examiners (OBPE) Public Session meeting to order at 1:02 p.m. on Friday, November 14, 2014, at The Grand Hotel at Bridgeport, Bridgeport Conference Room, 7265, SW Hazel Fern Rd., Portland, OR.

## **MEETING MINUTES**

### **Regular Meeting- September 5, 2014**

Dr. Munoz moved and Dr. Bjorkquist seconded the motion to approve the 9/5/14 Regular Board Meeting Minutes. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

### **Special Meeting- September 18, 2014**

Dr. Munoz moved and Dr. Jenkins seconded the motion to approve the 9/18/14 Special Board Meeting Minutes. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

### **Special Meeting- October 23, 2014**

Ms. Mellon moved and Dr. Munoz seconded the motion to approve the 10/23/14 Special Board Meeting Minutes. All board members voted in favor of the motion, no objections, and Mr. Hendry abstained. The motion passed.

## **FINANCIAL REPORT**

Nothing stood out to the board members regarding the current financial report. Legal Counsel spoke regarding the Oregon Board of Licensed Professional Counselors & Therapists AAG, Kelly Gablicks, and her announcement of retiring. Mr. Foote has known and worked with her for many years. He expects to fill in as the AAG for the OBLPCT for a few months and is willing to do so. There is a possibility that he may become their permanent AAG.

## **CONSUMER PROTECTION CASES**

### **CE Audit Issues**

Dr. Munoz moved and Dr. Grover seconded the motion to issue a Notice of Intent to Impose Civil Penalty to License #2140, #1502, #872, #2120, #824, #1952, #1972, #2054, #1984, #2044, & #5050. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

### **Orders**

**Case #2013-029:** Dr. Munoz moved and Mr. Hendry seconded the motion to Approve the Final Order. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

**Case #2014-017:** Dr. Munoz moved and Mr. Hendry seconded the motion to Approve the Default Order. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

### **Thirty-Day Letter Responses**

**Case #2014-019:** Dr. Munoz moved and Mr. Hendry seconded the motion to Issue a Notice of Intent to Impose Disciplinary Action with a one year suspension, three year probation, \$1,000 fine, and a reprimand. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

**Case #2014-031:** Dr. Munoz moved and Dr. Jenkins seconded the motion to Issue a Notice of Intent to Impose Disciplinary Action and a \$3,000 fine. Roll call vote: Ms. Mellon-Aye, Mr.

Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

### **Cases Carried from Last Meeting**

**Case #2014-020:** Mr. Hendry moved and Dr. Munoz seconded the motion to dismiss the case. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

**Case #2014-038:** Mr. Hendry moved and Dr. Jenkins seconded the motion to issue a 30-Day Letter. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

### **New Case Reports**

**Case #2013-056:** Mr. Hendry moved and Dr. Munoz seconded the motion to issue a 30-Day Letter. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

**Case #2014-016:** Dr. Jenkins moved and Dr. Grover seconded the motion to issue a 30-Day Letter. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

**Case #2014-026:** Dr. Munoz moved and Mr. Hendry seconded the motion to issue a 30-Day Letter. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

**Case #2014-040:** Mr. Salinas moved and Mr. Hendry seconded the motion to dismiss the case. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

**Case #2014-041:** Dr. Bjorkquist moved and Ms. Mellon seconded the motion to issue a 30-Day Letter. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

**Case #2014-046:** Mr. Salinas moved and Dr. Munoz seconded the motion to issue a 30-Day Letter. Roll call vote: Dr. Bjorkquist-Aye, Dr. Grover-Aye, Mr. Salinas-Aye, Dr. Munoz-Aye, Dr. Jenkins-Aye, Mr. Hendry-Aye, Ms. Mellon-Aye, and Dr. Ferder-Aye. The motion passed.

**Case #2014-047:** Dr. Jenkins moved and Mr. Hendry seconded the motion to issue a 30-Day Letter. Roll call vote: Dr. Bjorkquist-Aye, Dr. Grover-Aye, Mr. Salinas-Aye, Dr. Munoz-Aye, Dr. Jenkins-Aye, Mr. Hendry-Aye, Ms. Mellon-Aye, and Dr. Ferder-Aye. The motion passed.

**Case #2014-049:** Dr. Munoz moved and Mr. Hendry seconded the motion to dismiss the case. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

## **Consent Agenda**

### **CPC Recommended Dismissals:**

**Case #2014-033:** Mr. Salinas moved and Mr. Hendry seconded the motion to dismiss the case. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

**Case #2014-043:** Mr. Salinas moved and Mr. Hendry seconded the motion to dismiss the case. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

### **Other Recommended Dismissals**

**Case #2013-049:** Mr. Salinas moved and Dr. Jenkins seconded the motion to dismiss the case. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

### **Other Action**

**Application #12-35:** Dr. Jenkins moved and Mr. Salinas seconded the motion to Withdraw NPDA from the OBPE website. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

### **Applicant Matters**

**Application #14-120:** Dr. Munoz moved and Mr. Hendry seconded the motion to issue a Notice of Intent to Deny Licensure Application. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

## **INVESTIGATION EXTENSIONS**

**Case #2014-014, #2014-018, #2014-036, #2014-037, #2014-041, #2014-042, #2014-044, #2014-045, and #2014-048.**

Dr. Munoz moved and Mr. Hendry seconded the motion to approve a thirty-day investigation extensions in the cases listed above. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

## **ELECTION – VICE CHAIR**

Mr. Salinas moved and Mr. Hendry seconded the motion to nominate Dr. Daniel Munoz for Vice-Chair.

Ms. Mellon moved and Dr. Jenkins seconded the motion to nominate Dr. Patricia Bjorkquist for Vice-Chair.

Dr. Munoz has been the vice-chair before and is willing to do it again. Dr. Bjorkquist has been on the board for a year and a half and would like to contribute more. Dr. Jenkins asked how each candidate would help the current chair. Dr. Munoz knows that he and Dr. Ferder work

collaboratively together. Dr. Bjorkquist doesn't think there is any style difference between her and Dr. Ferder. She is at the end of her career and has the time to put into the Board.

There were two nominations on the floor; legal counsel suggested a tally vote. Dr. Munoz, Mr. Salinas, Dr. Grover, and Mr. Hendry voted in favor of Dr. Munoz as the Vice-Chair. Dr. Ferder, Dr. Jenkins, Ms. Mellon, and Dr. Bjorkquist voted in favor of Dr. Bjorkquist as the Vice-Chair. This was a tie vote. With the ninth member of the board being absent, the vote was pushed to the next board meeting in 2015.

## **PROPOSED ADMINISTRATIVE RULES**

### **Rule Caption: One-time license renewal fee reduction for psychologists and psychologist associates pursuant to ORS 291.055(3).**

This proposal has been approved by the Department of Administrative Services. The public comment period ended 10/20/14; review public comments received. No further discussion was made. Mr. Salinas moved and Dr. Munoz seconded the motion to File the Permanent Rule. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

### **Rule Caption: Clarifies post-doctoral supervised work experience requirements.**

The public comment period ended 10/20/14; no public comments were received. No further discussion was made. Mr. Salinas moved and Mr. Hendry seconded the motion to File the Permanent Rule. Roll call vote: Dr. Bjorkquist-Aye, Dr. Grover-Aye, Mr. Salinas-Aye, Dr. Munoz-Aye, Dr. Jenkins-Aye, Mr. Hendry-Aye, Ms. Mellon-Aye, and Dr. Ferder-Aye. The motion passed.

### **Rule Caption: Changes the educational requirements for psychologist and psychologist associate licensure.**

A public hearing was held 10/10/14 and the public comment period ended 10/20/14. Review public comments received and hearing officer's report. No further discussion was made. Dr. Jenkins moved and Dr. Munoz seconded the motion to File the Permanent Rule. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

### **New Rulemaking Proposal: Designation of Education and Licensure Status.**

Ms. Felton explained that the rule clarifies which degree designation licensees should be using. It also clarifies how to designate your accurate degree and designation status to clarify yourself as a psychologists or psychologist associate. Dr. Munoz moved and Ms. Mellon seconded the motion to File a Notice of Proposed Rulemaking Hearing. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed.

### **New Rulemaking Proposal: Required Diversity Continuing Education.**

The idea behind this originated with the State Senate and the Oregon Health Authority. Dr. Jenkins worked with the OPA Diversity Committee and drafted the rule before the board. The rule would require four hours of CE dedicated to Cultural Competency per reporting period. Mr. Salinas moved and Dr. Munoz seconded the motion to File a Notice of Proposed Rulemaking

Hearing. Roll call vote: Dr. Bjorkquist-Aye, Dr. Grover-Aye, Mr. Salinas-Aye, Dr. Munoz-Aye, Dr. Jenkins-Aye, Mr. Hendry-Aye, Ms. Mellon-Aye, and Dr. Ferder-Aye. The motion passed.

**New Rulemaking Proposal: Professional Communications.**

The Board decided to not go forward with this Proposed Rule.

**APPLICANT CHARACTER & FITNESS REVIEW PROCESS**

Ms. Felton explained the current application form and the issues the office staff has been seeing recently with the question, “Have you ever been arrested or convicted of any misdemeanor or felony.” One possible solution is to separate the two questions that applicants confuse regarding previous arrest(s) and/or conviction(s). Another option is to keep the question as one but underline & bold the two different words so that it sticks out more. Mr. Hendry mentioned that background check requirement is in rule and there shouldn’t be applicants who are answering “No” on the application and then the OBPE finds something. Their excuse 9 times out of 10 is “they didn’t know” it was a two-fold question or that they didn’t know that arrest/conviction was still on their record. Mr. Salinas likes the idea of breaking the question into two for clarification or ambiguity. One confusion is if the applicant’s conviction was expunged but their arrest was not and then shows up on our criminal history report. That applicant believed their record was cleared but was not aware that there are two separate steps to expunge a conviction and expunge an arrest and they only completed one. Dr. Grover is in favor of separating the question with a clearer definition of “an arrest record disregarding the outcome”. Mr. Harnisch referenced the Social Workers application and the similar questions they ask. He will give a copy to staff as a reference. Dr. Bjorkquist would like to see if the ASPPB has set standard of questions for applicants or if there has been a list serve before on this same issue. The second part of the process is whether or not the Board needs to see every application with a criminal history and/or if they marked “Yes” on the application. The board would like to see these cases to protect the staff. The second part of that is if the Board feels comfortable with these applications going to the CPC for timely processing. A rubric could possibly be created to vet the applications that come in by staff.

The board agreed that all applicants who mark “No” but staff finds criminal history and it should have been marked “Yes” should be brought to the Board for review. The applicants who mark “Yes” will be vetted and the authority will be delegated to staff. The CPC committee will work on creating a matrix for staff to use. Direction to staff, LaRee’ will change the application form and ask two separate questions and clear up the language. Mr. Harnisch will provide the matrix that the Social Workers Board currently uses.

**APPROVE LICENSES**

Niki D. Amsden, Ph.D.; Kimberli D. Andridge, Psy.D.; Bill R. Arnold, Ph.D.; Kyle G. Barry, Psy.D.; Tabitha S. Becker, Psy.D.; Sarah W. Bowen, Ph.D.; David M. Brooks, Ph.D.; Trayci A. Dahl, Ph.D.; Kolina J. Delgado, Psy.D.; Rebecca M. Dodge, Psy.D.; Erika A. Doty, Psy.D.; Takanori K. Endo, Psy.D.; Laura K. Fisk, Psy.D.; Samantha M. Forsythe, Psy.D.; Kristin M. Garcia, Psy.D.; Glori G. Gray, Psy.D.; Courtney M. Haight, Ph.D.; James P. Koretz, Ph.D.; Heidemarie K. Laurent, Ph.D.; Louise E. Marasco, Ph.D.; Ida Moadab, Ph.D.; Diana R. Moore, Ph.D.; Jessica L. Murakami-Brundage, Ph.D.; Elisabeth Musch, Ph.D.; Timothy J. Neary, Psy.D.; Tasha R. Phillips, Psy.D.; Cora G.

Platt, Ph.D.; Katherine H. Rex, Psy.D.; Nichole D. Sage, Psy.D.; Frances G. Schoening, Psy.D.; Margaretha J. L. Schuerman, Psy.D.; Stephanie N. Shippen, Psy.D.; Rusty R. Smith, Psy.D.; Shaneen D. Stacer, Ph.D.; Syrett Torres, Psy.D.; Malinda E. Trujillo, Ph.D.; James W. VanDyke, Ph.D.; Justin T. Westbrook, Ph.D.; Laura J. White, Psy.D.

Dr. Jenkins moved and Mr. Hendry seconded the motion to approve all licenses listed above. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

## **ADDITIONAL COMMITTEES**

Dr. Ferder moved and Dr. Bjorkquist seconded the nomination of Mr. Salinas to the Consumer Protection Committee as an observer until the public position opens up. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

An Unlicensed Committee was mentioned and if the Board felt there was a need for one. Dr. Grover has a specific area of interest regarding QMHP/QMHA; Dr. Bjorkquist was also interested.

Mr. Hendry moved and Dr. Munoz seconded the motion to create a new committee dealing with unlicensed cases. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Mr. Hendry moved and Mr. Salinas seconded the motion to nominate Dr. Bjorkquist, Dr. Grover, and Ms. Mellon to the Unlicensed Committee. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

The board took a break at 2:22 p.m. and reconvened at 2:44 pm.

Dr. Munoz requested a revote on the Vice-Chair position. He would like to change his vote to Dr. Bjorkquist. He felt that the office needs a vice-chair immediately due to the open Executive Director position, short staffing, and Dr. Bjorkquist lives in Salem and is readily available. Mr. Hendry moved and Ms. Mellon seconded the motion to elect Dr. Bjorkquist as Vice-Chair of the OBPE. Roll call vote: Ms. Mellon-Aye, Mr. Hendry-Aye, Dr. Jenkins-Aye, Dr. Munoz-Aye, Mr. Salinas-Aye, Dr. Grover-Aye, Dr. Bjorkquist-Aye, and Dr. Ferder-Aye. The motion passed. Congratulations Dr. Bjorkquist.

Dr. Grover reconsidered his position on the Unlicensed Committee and asked to withdraw. The Board agreed and left the remaining two members.

## **PUBLIC FORUM**

This is an opportunity for the public to address the Board. The Chair will determine the length of the time given based on the meeting agenda and the number of individuals that wish to speak.

Dr. Dix, OPA liaison, would like to know if there was any conversation as to a new OBPE liaison to the OPA Board. Dr. Haydon was the past representative. Dr. Grover is heavily involved with OPA and is willing to fill this position. Mr. Hendry moved and Mr. Salinas

seconded the motion to elect Dr. Grover as the OBPE Liaison to OPA. Roll call vote: Dr. Bjorkquist-Aye, Dr. Grover-Aye, Mr. Salinas-Aye, Dr. Munoz-Aye, Dr. Jenkins-Aye, Mr. Hendry-Aye, Ms. Mellon-Aye, and Dr. Ferder-Aye. The motion passed.

Mr. Wolff mentioned a process that took place several years ago between 2008-2010 when an committee was created and went over, in great detail, of some issues talked about today. He remembered them discussing criminal history regarding applicants. He thinks the questions regarding the arrest/conviction information are already written in the history of OBPE. Ms. Felton believed the committee Mr. Wolff spoke of was the Rules Advisory Committee. It was created to discuss the criminal background check process and the implementation; however, no matrix or documentation was created for Board staff to use.

## **OPA CONFERENCE**

Dr. Ferder announced that the Oregon Psychological Association has asked the OBPE to speak at their annual conference again this coming year. It will be held the first weekend in May, May 1-3, 2015, at the Hilton in Eugene, OR. The Board agreed to speak on Friday, May 1<sup>st</sup>, in the afternoon. They will discuss the topics of interest at the next board meeting.

## **2015-17 BUDGET**

Ms. Felton briefed the board on the current 2015-17 Budget. The half-time Office Specialist was approved; the half-time Investigator was not. No other changes were made to the Board's proposal. Dr. Bjorkquist asked why they didn't approve of the additional part-time Investigator. The Department of Administrative Services is who reviewed the budgets and didn't recommend it to the Legislature. Ms. Felton thinks that the investigative numbers weren't high enough to back the cost, it's based on need and they didn't see the need. The board will go forward with just one Investigator and if the work load increases significantly then they can look into a temporary position or contractor in the future.

## **STATISTICS**

### **Licensure**

153 new applications have been received and 108 licenses have been issued in 2014. There are currently 172 active applicants (including 75 practicing residents), and 1775 licensees: 1403 active, 197 semi-active, 172 inactive, and 3 suspended.

### **Consumer Protection**

57 complaints have been filed in 2014. There are currently 38 open cases under investigation (including the investigation files scheduled for Board consideration): 24 licensees, 5 applicants, and 9 unlicensed practice cases. There are 2 contested cases in process, and 2 cases on appeal.

## **ADJOURN**

The Oregon Board of Psychologist Examiners meeting adjourned at 3:22 p.m.

*Respectfully Submitted:*

// Fran Ferder, Ph.D. //

January 16, 2015

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**Fran Ferder, Ph.D., Board Chair**

**Date**