



Oregon

John A. Kitzhaber, MD, Governor

Oregon Board of Psychologist Examiners
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Public Session Board

Retreat & Education Summit Meeting Minutes

November 23, 2013

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

Members Present:

Fran Ferder, Ph.D., Chair
Daniel Munoz, Ph.D., Vice Chair
Patricia Bjorkquist, Ph.D.
Shane Haydon, Ph.D.
James Hendry, Public Member
Sandra Jenkins, Ph.D.
Devin Salinas, Public Member
Anne-Marie Smith, Ph.D.

Legal Counsel:

Warren Foote, AAG

Staff:

Becky Eklund, Executive Director
Janelle Houston, Operations & Policy Analyst
Karen Berry, Investigator
LaRee Felton, Program Analyst
Ashlie Rios, Office Specialist

Guests:

Dr. Raymond Trybus, Walden University
Dr. Tracy Marsh, Walden University
Jim Gardner, Gardner & Gardner
Dr. Mary Peterson, George Fox University
Dr. Cathy Miller, Pacific University
Dr. Genevieve Arnaut, Pacific University
Dr. Peter Vik, Pacific University
Christian Wolff, M.A.
Dr. Lori Queen, OPA Liaison

INTRODUCTIONS/ROLL CALL

Dr. Ferder called the Board of Psychologist Examiners (OBPE) Public Session meeting to order at 9:15 a.m. on Saturday, November 23, 2013, at The Grand Hotel at Bridgeport, 7265 SW Hazel Fern Rd., Portland, Oregon.

REVENUE

Ms. Eklund summarized the OBPE budget and revenue. The cash balance was high, licensing fees are the source of revenue. Ms. Houston provided a handout that compared OBPE fees to other agencies and other states. One factor to consider when looking at fees is costs, which may increase as license applications increase, requiring increased staff time. Any fee changes would require legislative approval.

The Board recommended creating a workgroup to research economics, population, staff time, etc. in order to forecast needed fees and potential fee changes. Mr. Salinas agreed to be on the workgroup. The Legislature recommends that each agency have a 5 month cushion of cash on hand. Mr. Salinas thought that instead of going through the rigorous process of asking the legislature to reduce fees and then increase in 10 years when we need more money, we could use the current cash balance to pay licensees in some way.

Board members identified the following:

1. Develop internships, training, or consultations on cases.
2. Have more people attend the ASPPB conferences to educate our board members and staff.
3. Pay for a lobbyist, which would benefit licensees and consumers.
4. Additional staff to address the increasing number of applicants and licensees

Dr. Ferder agreed with many of the suggestions and looked for the support of the board. Ms. Eklund will work on creating this group.

TOPICS FOR FUTURE BOARD MEETINGS

Dr. Ferder asked the Board to identify potential future topics. The following ideas were expressed:

1. Update the jurisprudence exam
2. Change the Board's name because it is limiting to the board; the Board does more than just exams. A name change would require approval of the legislature. Any legislative concepts also need to be developed and put before the Governor in spring of 2014.
3. Explore the function of the board and the function of specialty boards (forensic psychology, sex offenders, etc.) and the differences between them.

The OBPE took a break and reconvened at 10:06 a.m.

EDUCATION SUMMIT

APA ACCREDITATION

Ms. Eklund welcomed the audience to the education summit and briefly described the planned activities. Members of the Education Committee presented information about accreditation of university psychology programs and APA accreditation standards. Dr. Haydon gave a brief history of Board activities related to accreditation.

- 2008: The question of mobility
- 2010: The education committee was formed by then chair, Susan Latham. The Committee consulted with ASPPB, APA, and a variety of other sources.
- 2011: A product was created. The Board reviewed it, opened the proposed rules for public comment, went to legislation, and the rules passed to become effective in 9/2011.
- 2012: The board began to see mobility issues. The distinction between clinical and applied psychology was unsuccessful. The board also found many students who were caught at the end of their program who could not apply due to the new rules.
- 2012-2013: The board worked to "tweak" these rules to help those students caught in the middle.

The Board is now looking at setting the “gold standard” of licensure. The Education Committee believes that the gold standard is APA accreditation of psychology programs. Dr. Munoz presented a bibliography of articles about accreditation. There are no competing accreditations, and the National Register is closing in 2014. NCIP, APPIC, Dept. of Veteran Affairs, Dept. of Corrections, and APGS are major organizations in favor of requiring APA accreditation. In 2017, the APPIC system, which monitors all APA internships, will require that students come from APA accredited programs.

Research revealed that students who graduated from accredited programs had a 70% pass rate on the EPPP verses a 58% pass rate for students from non-accredited programs. Other research explored match rates from APPIC over the course of 6 years. Only 15 programs accounted for 1/3 of all the unmatched students in the system for internship. Of the 15 programs; 14 were APA accredited, 13 were Psy.D, and one was not APA accredited.

The impact on the public is an important aspect of accreditation. APA accreditation offers a minimum standard that all the schools would have to follow and that the public understands. APA also requires published data for consumers to view on their websites, which they can use to view the quality and success of programs.

Dr. Ferder spoke regarding non-APA accredited schools, the effect on the students, and the board’s responsibility. If the OBPE chooses this standard for licensure then any applicant must come from an APA accredited school. Oregon has three APA schools; however, there are thousands across the country.

Dr. Ferder asked the guests to comment about these ideas for future licensure. Dr. Miller asked the Board to clarify if these ideas are related specifically to school, program, and/or internship as well. Dr. Ferder clarified that the Board is looking into requiring APA accreditation of the specific programs in which an applicant graduates and not the internship; however, the Board realizes that there is a relationship between the two. Dr. Genevieve Arnaut and Dr. Cathy Miller worried that creating rules requiring an APA accredited internship would limit an applicant’s choices and not allow for new sites to be created. They both felt that if the internship, APA or not, is a part of the APA program then the internship would not need to be looked at because the APA program would have already made sure the intern was adhering to the ASPPB, APA, gold standard rules and regulations. The board agreed; however, today’s discussion relates to the program and not the internship.

Dr. Peter Vik expressed his concerns of legality and ethics. Instituting the requirement may restrict fair trade from applicants who come from another state, and may cause harm to those students from universities that had not yet been accredited upon graduation. Dr. Vik knew that the licensure process would be easier for a student coming from an APA accredited program; however, he does not think that the student coming from an as yet to be accredited or no accreditation program hasn’t met the same qualifications or training. APA accreditation implies minimum standards but lack of APA accreditation does not imply lack of standards.

Dr. Raymond Trybus stated that schools with a “substantial” number of online courses aren’t allowed to apply for APA accreditation. Dr. Ferder asked Mr. Trybus how Fielding Graduate Institute, a primarily online program, was able to become accredited. He explained the Fielding Graduate Institute has been APA accredited since 1991. The differences he sees between Fielding and Walden University is that Fielding does independent study for all of the content areas much like a British tutorial model where they meet with a few professors, present what they intend to do during the course, and after eighteen months the student presents a major paper to demonstrate they’ve mastered the course. The other content areas are similar, such as periodic in-residence periods throughout the entire program.

Dr. Mary Peterson, Department Chair at George Fox University, thanked the Board for the level of research and professional presentation they created.

The OBPE took a short break and reconvened at 11:06 a.m.

Dr. Vik noted that the Commission on Accreditation is working on a contingent accreditation, which is a process that would accredit new programs while they are working on getting full accreditation. The COA will release this draft policy in December 2013 or January 2014. Implementation of the policy depends on the response of the community during the comment period

Dr. Trybus and Dr. Marsh, from Walden University, presented their concerns about moving to APA accreditation requirement. Many of Walden's programs such as education, nursing, and counseling are accredited by the appropriate associations.

Walden believes that one of the major flaws of the EPPP data is that when a student takes the EPPP and comes from a non-accredited school, that school is not included in the data. Non-accredited schools are included in "other" or "regionally accredited" categories so it is difficult to identify who is failing this national exam.

EPPP does not distinguish between Ph.D. and Psy.D. students; although, Ph.D. students have higher passing rates than Psy.D. There isn't an argument being made that all students come from a Ph.D. program.

The APPIC match program is changing in 2017 so will be helping to match students who don't get matched in an internship every year but it doesn't solve the whole problem. Many internship sites have high standards but because they are not APA accredited, they will be eliminated.

APA requirements would have a negative impact on students, psychologists, and clients. APA is in the process of changing their accreditation rules that will not be in effect until 2016 at the earliest. Now would not be the best timing to change Oregon rules when APA is changing.

Dr. Mary Peterson, George Fox University, spoke of the difference between program accreditation and institutional accreditation and what it takes to be accredited. George Fox went through institutional accreditation approximately a year ago; she was amazed to find that the site visitors didn't meet with the program directors; they looked at the finances, outcomes, and student progress. During the site visit to their accredited a program, the review included program qualifications, standards, directors, etc. that proved to her the meaning of what an "accredited program" is and the quality behind it.

Dr. Cathy Miller, Pacific University, agrees with both sides of the discussion. Accreditation is important in education; however, she doesn't believe this is a viable option for licensure until APA changes its process for accreditation. APA currently won't look at a school for accreditation until a student has gone through the entire system (program courses, practicum, dissertation, internship, etc.), which could take up to six years. The fear is that these first time students who are helping the university become accredited are going to graduate before APA accredits the program, and therefore, will not be able to apply for licensure after graduation. APA should develop a review process that helps these "first timers" that are stuck in the loophole between applying for accreditation and the six years it takes to become accredited.

Questions arose about distance supervision and whether that moves away from acculturation into the profession. Interns located in rural areas may need an alternative to in person supervision.

Dr. Lori Queen, OPA Liaison, spoke from OPA's perspective. Oregon is one of the leading states in private practitioners, and OPA struggles with how to set psychologists apart from the confusion of counselors, LMFTs, social workers, etc. Marketing may set psychologists apart from the master's level licenses and the best way to do this is by setting a gold standard for licensing. This standard is a more stable path to licensure as the board

members continue to change and the staff continues to change. Dr. Queen suggested asking APA to create a standard for online universities.

Mr. Wolff addressed Dr. Queen and asked at what level everyone is looking at these issues as business people or more as scientists in psychology. He said that if the board is trying to build a strong structure out of “bricks” then why should they be “gold bricks” as opposed to regular ones that may produce superior results. Mr. Wolff also questioned what APA standard would do to Ph.D. versus Psy.D. programs since there is a significant difference in how many programs of each are already accredited. He also worried that this standard would bring up a “turf war” between Ph.Ds. and Psy.Ds.

Dr. Miller asked if the 8-10 states that have already adopted the APA standard have had difficulties with licensure. The Board did not believe any of these states have rescinded the standard nor did they have a decrease in licenses. Dr. Smith felt that the Board needs to go back and deliberate; the main goal is to protect the public. How fair is it to eliminate these non-APA schools because we don’t have proof that their education isn’t the standard or their internship doesn’t work. Dr. Miller suggested to ask the site directors to lay out their program specifics and prove that they meet the standard for licensure in Oregon.

Dr. Vik said the concern comes when we start denying or jeopardizing licenses. Mr. Wolff noted that standards aren’t always a good idea and asked the board to let go of its attachment to the APA Standard, and consider the effect on students.

Mr. Salinas and Dr. Smith emphasized that the role of the Board is consumer protection and asked where the burden falls for setting high quality standards for the education of students.

Dr. Trybus suggested that the Board look at complaints and discipline of licensees from APA and non-APA accredited universities.

Dr. Miller said if there is no research that shows licensees from APA accredited programs receive fewer complaints or that the gold standard increases consumer protection, what is the purpose for the proposal requiring APA program accreditation to meet requirements for licensure? When asked about APA drawbacks, Dr. Miller said the primary concern is the length of time it takes to be accredited.

Dr. Ferder thanked the guests for spending their Saturday afternoon with the Board and for all of their work that led up to this day. The Board will take all of the comments into consideration and continue to discuss the accreditation issue. The Board will ask for future input in a possible hearing before any of these ideas become permanent rules.

The OBPE adjourned the Education Summit at 12:35 p.m.

Mr. Wolff offered to set up an online opportunity for those who would like to discuss the issues further.

The Board reconvened in public session at 2:03 p.m.

The Board briefly reviewed comments from the Education Summit. The board thought it was a great educational tool for the board and consumers. Dr. Jenkins was surprised at the number of people who showed up for the meeting; the range of opinions was helpful. Dr. Munoz acknowledged the individuals who attended the Education Summit from Pacific University, George Fox University, and Walden University. The Board had invited the directors of programs who send a majority of their students to Oregon; these universities were University of Oregon, Capella University, and Pacifica Graduate Institute. The Board also invited representatives from Portland Mental Health Association, and National Association of Mental Illness (NAMI).

Dr. Ferder, Dr. Munoz, Dr. Haydon, and Ms. Eklund met with the Walden representatives during lunch to discuss incomplete applications of students from their school. Walden offered complete cooperation in helping their students become licensed in Oregon.

PSYCHOLOGIST ASSOCIATES

Twenty-two states issue masters level licenses under similar titles. Two states license master's level psychologists without supervision -- Oregon and Vermont. The other twenty states require supervision during the entire licensure period. Dr. Haydon briefed the board on Oregon's history on psychologist associates. That type of license is no longer needed, and the last psychologist associate licensed was in November of 2011.

CONTINUING EDUCATION

The Education Committee discussed proposals to change continuing education requirements at least three times prior and is now bringing the proposals before the board. The proposal to require human diversity CE is being postponed while Dr. Jenkins does more consulting on the subject. The Education Committee supports and agrees with the proposed rule changes. If the board decides to go forward with these proposed changes, administrative rules will be drafted and sent out for public comment. Then it will come back to the full board for final approval.

Proposed changes include:

1. Reduce the biennial CE requirements from 40 to 50 hours; this would bring Oregon to the median level across the states.

Dr. Munoz moved and Mr. Salinas seconded the motion to reduce the biennial continuing education requirement from 50 to 40 hours. All voted in favor, no objections, and no abstentions. The motion carried.

2. Increase flexibility in what the board counts towards CE by allowing reading of peer review articles to count.
 - a. Four articles would count towards one continuing education hour; a maximum of four CEUs;
 - b. May count towards any required domain other than pain;
 - c. Must be published in the last five years;
 - d. Must be from peer review journals;
 - e. Must be a majority related to the practice of psychology; and
 - f. Must submit the title page of the article that includes the title, author, journal, etc.

Mr. Salinas moved and Dr. Bjorkquist seconded the motion to allow reading of peer reviewed articles to count towards CE requirements with no more than two credits in any domain. All voted in favor, no objections, and no abstentions. The motion carried.

3. Allow attendance at professional conferences to count towards CE. towards continuing education.
 - a. One hour of attendance to equal one hour of CE;
 - b. A maximum of eight CE may be counted;
 - c. Seminars must be individually identified with a start and end time;
 - d. Provide a copy of the paid receipt; and
 - e. Document specific activities as currently required for other conference CE.

Ms. Felton asked how licensees would need to document CE if the conference was free and no certificate is given. The board agreed that it could be an issue but focused on the idea of accepting these types of CE. Dr. Munoz moved and Dr. Ferder seconded the motion to accept attendance at professional conferences to count towards continuing education. All voted in favor, no objections, and no abstentions. The motion carried.

The rest of the rule changes were postponed until the January 17, 2014 board meeting.

REVIEW OF 2013 CE AUDIT

Seventeen (13.3%) of the audited licensees were found to have at least one compliance issue; 4.7% were late responses, the same amount of people that claimed credit that were not acceptable, 3.9% did not complete ethics, 3.9% did not complete the minimum 50 CE, and 1 person did not complete the pain management requirement. A discussion of annual vs. monthly auditing came into question. Staff is neutral on the situation because the workload will be the same but it would be more dispersed over the year. Historically it has been done at one time and the board agreed to continue this way.

PUBLIC COMMENT

Dr. Lori Queen, OPA liaison, reported that she requested feedback from OPA about the proposed APA standard for licensure and the CE changes. She did not hear much about the licensure process changing because OPA members are already licensed psychologists, and the change would not affect them.

The proposed changes to continuing education requirements were well taken. She doesn't think that the eight "free" CE will affect OPA, because people have to pay to attend a conference. OPA is funded primarily from attendance at OPA conferences for CE credit. If OBPE reduces CE requirements, that will reduce OPA's revenue. She also had feedback about the requirement for supervisor signatures on in residence case notes. Rural areas or strict agencies are having an issue with the rule. Another concern was the confidentiality of psychologists' mental health being requested during the complaint process. She found that many OBPE members were not OPA members, and she encouraged them to join.

Dr. Ferder said the board is aware of the concern, and they discussed it at the Education Committee meeting. Dr. Haydon feels that this rule has basis for further review. Dr. Munoz reminded the board that this rule was put out for public comment, and there was no expressed concern, which should have been done if supervisors were not comfortable with it. A few board members agreed; however, some people might not have known it was going to be an issue until they were called to action and found that it was not feasible.

Dr. Bjorkquist moved and Dr. Haydon seconded the motion to file a Notice of Proposed Rulemaking to rescind the requirement of a supervisor signature on client progress notes. All voted in favor, no objections, and no abstentions. The motion carried.

The OBPE took a break at 3:32 p.m. and reconvened in Public Session at 3:42 p.m.

Christian Wolff, M.A., spoke to the accreditation issue discussed earlier in the meeting. He wanted the board to remember the foreign degree people when making their decision to change the licensure process. He asked the board to explain what psychologist associates practice. Dr. Ferder referred him to the administrative rule 858.010.0010(1) and the law ORS 675.010(1). He asked for the board to read these rules out loud. Dr. Ferder reminded Mr. Wolff that this is a public comment period and declined to read the rules and law aloud.

CULTURAL COMPETENCY/DIVERSITY

Fabiana Wallis, Ph.D. presented information about cultural competence/diversity efforts in the Legislature. In 2011, the OPA presented a Senate Bill 97 to the legislature that would require cultural competence in continuing education. This bill passed the Senate but failed the House. In 2013 they revisited the idea and developed standards for the cultural competency training. The concept included levels of competence: awareness, knowledge for the provider, knowledge for the trainer, and skills. Many state agencies, associations, business centers, and individuals supported this bill, and OPA was a big part of it. House Bill 2611 passed

through the legislature this year. The support of this bill looked different from the 2011 bill, and many questions were answered this time around.

The Oregon Board of Psychologist Examiners adjourned the public Board retreat at 4:07 p.m.

Respectfully Submitted:

// Becky Eklund //

Becky Eklund, Executive Director

January 17, 2014

Date