



Oregon

John A. Kitzhaber, MD, Governor

Oregon Board of Psychologist Examiners

3218 Pringle Road SE, Ste. 130

Salem, Oregon 97302-6309

(503) 378-4154

FAX (503) 378-4404

www.obpe.state.or.us

Public Session Board Meeting Minutes

July 20, 2012

**3218 Pringle Road SE
Salem, OR 97302**

- Members Present:** Shane Haydon, Ph.D., Chair
Fran Ferder, Ph.D., Vice Chair
Susan Latham, Public Member
David Wade, Psy.D.
Kent Anderson, Public Member
- Excused:** James Hendry, Public Member
Roger Carlson, Ph.D.
Linda Sherman, Ph.D.
- Legal Counsel:** Warren Foote, AAG
- Staff:** Michelle Gaines, Interim Executive Director
Karen Berry, Investigator
- Guests:** Rob Lundblad, Ph.D.
Debbe Kettle, Ph.D.
Daniel Emmett

Call to Order

Dr. Haydon called the Board of Psychologist Examiners meeting to order at 1:05 p.m. on Friday, July 20, 2012, at the Board's office at 3218 Pringle Road SE, Salem, Oregon 97302.

I. Public Forum

- Dr. Lundblad reported that OPA is having a retreat this weekend so the liaison cannot attend today.
- Mr. Emmett discussed the recent changes to the educational requirements and how they affected him. He analogized building a home to completing a degree and the affect of changing regulatory schemes, and feels that changing the rules and not offering a grandfather clause is unfair. Based on his research, the AYR offered at his school provided a sufficient basis for licensure.

II. Consumer Protection Votes

- **Case #2011-031** – Moved: Latham; Second: Ferder; **Action: Issue Notice Intent to Impose Civil Penalty.** Roll Call: Latham: Aye; Anderson-Aye; Ferder-Aye; Haydon-Aye; and Wade-Aye.
- **Case #2011-020** – Moved: Latham; Second: Anderson; **Action: Approve Stipulated Order.** Roll Call: Latham: Aye; Anderson-Aye; Ferder-Aye; Haydon-Aye; and Wade-Aye.
- **Case #2011-026** – Moved: Latham; Second: Ferder; **Action: Notice of Intent to Impose Civil Penalty.** Roll Call: Latham: Aye; Anderson-Aye; Ferder-Aye; Haydon-Aye; and Wade-Aye.
- **Case #2011-037** – Moved: Latham; Second: Wade; **Action: Issue 30-Day Letter.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2011-038** – Moved: Latham; Second: Ferder; **Action: Issue 30-Day Letter.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2011-063** – Moved: Wade; Second: Latham; **Action: Issue 30-Day Letter.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-001** – Moved: Latham; Second: Anderson; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-003** – Moved: Ferder; Second: Latham; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-009** – Moved: Ferder; Second: Anderson; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-015** – Moved: Latham; Second: Anderson; **Action: Issue 30-Day Letter.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-018** – Moved: Latham; Second: Anderson; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-019** – Moved: Ferder; Second: Anderson; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-022** – Moved: Anderson; Second: Ferder; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-024 & 2012-033** – Moved: Ferder; Second: Latham; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-036** – Moved: Anderson; Second: Wade; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-037** – Moved: Ferder; Second: Anderson; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-038** – Moved: Latham; Second: Wade; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.

- **Case #2012-041** – Moved: Ferder; Second: Latham; **Action: Issue 30-Day Letter.** In Favor: Unanimous; Opposed: None; Abstention: None.
- **Case #2012-044** – Moved: Latham; Second: Wade; **Action: Dismiss.** In Favor: Unanimous; Opposed: None; Abstention: None.

III. Thirty Day Investigation Extensions

Moved: Ferder; Second: Anderson; **Action: Grant the following investigation extensions pursuant to ORS 676.165(4):** 2009-057, 2010-110, 2011-026, 2011-031, 2011-037, 2011-038, 2011-042, 2011-062, 2011-063, 2011-064, 2011-068, 2012-001, 2012-003, 2012-005, 2012-006, 2012-009, 2012-011, 2012-014, 2012-015, 2012-017, 2012-018, 2012-019, 2012-022, 2012-023, 2012-024, 2012-025, 2012-026, 2012-027, 2012-028, 2012-030, 2012-031, 2012-032, 2012-033, 2012-034, 2012-035, 2012-036, 2012-037, 2012-038, 2012-039, 2012-040, 2012-041, 2012-042, 2012-043, & 2012-044. In Favor: Unanimous; Opposed: None; Abstention: None..

IV. Policy Matters

- **Budget Update-** Ms. Gaines explained a new State process for 10-year planning. OBPE is grouped with under agencies under a safety outcome area. The Board's bid form was successfully presented to a task force. The Board is funded through "other funds" so does not have to participate in the allocation process that other agencies do; OBPE is just being evaluated on the soundness of the program. The official budget will need to be submitted in August. The Budget Management Office requires OBPE to be at the "current service level." Nothing has substantively changed since March, but the budget proposal will need to be reviewed by the Board if there are any substantive changes. It is very likely that the Board will need to go to the E-Board to request some additional limitation in one or more line items due to unanticipated expenses (hearings).
- **Regionally accredited programs lacking required coursework-** The Board discussed development of a list of categories of several issues that have come up, including allowing "make-up" coursework, application of the in-residence requirement, and the number of credit hours required in the curriculum areas. The educational requirements were changed substantially, which had not been done since the 80's, and some unintended consequences became apparent soon after. Even after some tweaks, there are still some issues that need to be addressed. Ms. Gaines discussed the possibility of appointing a rules advisory committee to make recommendations for the Board to consider for drafting the rules, and the possibility of adopting temporary rules in the interim. The Board discussed the importance of having an in-residence requirement, and noted some alarming activities for which a particular online school awarded academic credit "in-residence." Also noted was the importance of not rushing into any changes to avoid unintended consequences.
- **Online Education**
The Board briefly discussed an article from the APA Magazine that addresses the rationale for the APA not accrediting online programs. Also discussed was an email from a State Representative's office asking about the recent changes to the educational

requirements, and the importance of following up and potentially meeting with representatives to address any concerns.

- **License Reactivation**

1. Proposed Administrative Rule.

Rule Caption: Clarifies the requirements to reactivate a license.

Moved: Wade; Second: Latham; **Action: Approve Proposed Rules for Public Notice.** In favor: Unanimous; Opposed: None; Abstained: None.

2. Proposed Status Change Policy.

Change would institute staff review of license reactivations after rule change that removes discretion.

Moved: Anderson; Second: Ferder; **Action: Approve Status Change Policy.** In favor: Unanimous; Opposed: None; Abstained: None.

V. Licensee Matters

Linda S. Noval, Psy.D. Moved: Anderson; Second: Latham; **Action: Reactivate License #1195.** In Favor: Unanimous; Opposed: None; Abstention: None.

VI. Board Elections

Dr. Haydon recommended that elections be held off for now because it's a time of change and also the absence of three Board members at this meeting.

VII. Board Retreat

The Board discussed the possibility of having new Board members by the time of the September Strategic Planning Session (Retreat), and whether it's a good idea to have this be their first ever meeting when they have had no training or experience. It is still unknown if there will be any new appointments or reappointments. The Board also discussed possible locations for the meetings. Ms. Gaines recommended seeking out the most cost effective option, and she will explore options in the Portland area. Possible agenda items considered were the 10 year strategic plan, use of touch in therapy, telepsychology, review of CE policies, and review of the investigative process and how the Board discusses cases under consideration. Any other ideas should be submitted to Ms. Gaines.

VIII. Statistics

- 1) Licensure

46 new applications have been received and 23 licenses have been issued in 2012.

There are currently 1637 total licensees, including 1270 active, 194 semi-active, 166 inactive, 5 on probation and 2 suspended.

New licensees since last meeting:

Asha Stephen, Ph.D., Rika N. Collado, Psy.D., Ozge F. Akcali, Ph.D., Jeffrey A. Lee, Ph.D., Seth S. Williams, Psy.D., Robert Poe, Psy.D., Robert R. Fallows, Psy.D., William A. Newbill, Ph.D., Tanya A. Prather, Ph.D., Maya E. O'Neil, Ph.D., & Gregory S. Lonigan, Psy.D.

2) Consumer Protection

50 complaints have been filed in 2012. There are currently 56 open cases under investigation (including the investigation files scheduled for Board consideration), with 3 in the contested case process. Of the open cases under investigation, 41 are regarding licensed practice (including 2 applicants) and 15 are regarding unlicensed practice.

Adjourn at 3:07 p.m.

Respectfully Submitted:

Becky Eklund, Interim Executive Director

Date