



The Examiner

Winter 2014 Edition

Board Members:

- Fran Ferder, Ph.D., Chair
Psychologist, Oregon Coast
- Daniel Munoz, Ph.D., Vice-Chair
Psychologist, Portland
- Patricia Bjorkquist, Ph.D.
Psychologist, Salem
- Shane Haydon, Ph.D.
Psychologist, Oregon City
- Jim Hendry, Esq.
Public Member, Portland
- Sandra Jenkins, Ph.D.
Psychologist, Hillsboro
- Devin Salinas, B.A.
Public Member, Portland
- Anne-Marie Smith, Ph.D.
Psychologist, Oregon City

Inside this issue:

Education Summit	1
Rulemaking	2
Psychologist Associate	3
DSM	3
Year End Statistics	4
Stats. Continued	5
Disciplinary Actions	6
Discipline Continued	7
Upcoming Events	7

Education Summit Review

The Oregon Board of Psychologist Examiners held an education summit on November 23, 2013. The Board appreciates the time and effort from all of the participants at the meeting and felt the content presented was critical to understanding the dynamics of creating an APA accreditation mandate for Psychologists.

Below are highlights from the education summit discussions:

1. While APA accreditation is not perfect, it is the best there is to ensure that a graduate program in psychology has been thoroughly examined and it is the only formal standard for vetting a graduate psychology program.
2. Regional accreditation examines the whole school, and does not look at the quality of individual programs in that school. It gives us no information about the quality of a psychology department.
3. While APA accreditation gives us a certain level of confidence in a graduate's competency, graduation from a school that lacks APA accreditation does not mean that a student (or his/her school) is inferior.
4. APA accreditation is a long and slow process that takes years, and can put students at a disadvantage in Oregon if they start at a school that is in the process of getting APA accreditation, then graduate before their school has enough time to complete it.
5. Graduate programs in psychology cannot get APA accreditation until they have actually graduated students from that program. This means that some students function as "guinea pigs" that help a school attain APA accreditation but don't get to benefit from it in Oregon.
6. APA may be out of step with modern trends in education: They take too long to accredit and have no process to accredit programs that are substantially distance learning.
7. There are concerns that APA accreditation would bias against online of PsyD programs. However, the data does not support that. In 2013, more than two thirds of Oregon's new licensees were from PsyD programs. Two of the three Oregon doctoral programs are PsyD and the programs are accredited and their students have historically had no issues getting licensed in our state. There is at least one APA accredited program that provides a substantial online component – Fielding Institute and several other accredited programs – Chicago School, several Argosy's have online facets.
8. There was a commonality in the pro/con argument to APA regarding the rigor and paperwork involved. Those concerned about APA accreditation talk about the length, time and paperwork as impediments for some programs to go through the process. Those in favor use the same argument as reasons for wanting a rigorous vetting of their programs.
9. Any plans to go forward should consider a mechanism to accommodate schools and students that are "in process" of obtaining APA accreditation.

Administrative Rulemaking

The Board is currently proposing the following rule amendments:

- **Residents' Client Progress Notes.** The Board proposes to eliminate the requirement that post-degree supervisors must countersign residents' client progress notes. The Board determined that this requirement was overly burdensome, particularly for off-site supervisors with limited access to a resident's electronic record system. Note that this change will not remove supervisors' responsibility to review records and countersign reports and professional correspondence.

The public comment period remains open until 2/28/14 at 5pm.

- **Continuing Education.** The Board proposes to make changes to the continuing education requirements for licensees. This proposal would reduce the total number of CE credits licensees must earn during their two year renewal period from 50 to 40, and reduce the categorical limitations proportionately. It would expand the four-hour professional ethics requirement to include Oregon State laws and regulations related to the practice of psychology, and allow up to 4 credits for reading articles from peer-reviewed journals. The draft makes clarifications to the audit process and what constitutes acceptable evidence of completion. It also establishes procedures and a sanction schedule for late, non-responsive and deficient CE reports. This proposed amendment would become effective January 1, 2015.

A public hearing will be held at 3218 Pringle Road SE; Salem, OR 97302 on 5/12/14 at 10am, and the comment period remains open until 5/12/14 at 5pm.

- **Code of Conduct.** The Board proposes to amend the rule to clarify that the code of professional conduct, as adopted by the Board, applies to all licensees. The change will also delete some outdated language.

The public comment period remains open until 5/12/14 at 5pm.

Notices and proposed rule text can be found on the main page of the website under "Headlines." Please send any comments to laree.felton@state.or.us or 3218 Pringle Road SE, Ste. 130, Salem OR 97302. All comments must be received by the specified deadline.



Board Members (left to right): Dr. Haydon, Dr. Bjorkquist, Dr. Munoz, Dr. Smith, Dr. Ferder, Mr. Hendry, Dr. Jenkins, and Mr. Salinas.

Psychologist Associate

Attention Licensed Psychologist Associates:

At the January 17, 2014 board meeting, the Board addressed a question about the correct designation for licensed psychologist associates. The official designation for a licensed psychologist associate is: Your name, the initials of your academic degree(s), followed by the full spelling of "licensed psychologist associate" or, if you prefer, the initials, "LPA":

**Jane Doe, MA, Licensed Psychologist Associate or
John Doe, MS, LPA**

The Board is concerned some psychologist associates may be under the impression that PsyA is an option for their designation. According to the Oregon Office of Degree Authorization*, the use of the abbreviation "PsyA", in any form, is not an acceptable designation for licensed psychologist associates because it does not represent an academic degree. A recent opinion issued by an administrative law judge found that "PsyA" is not a recognized abbreviation in the field of psychology, either as an academic degree or professional license designation, and that the use of these initials is false and misleading to the public and constitutes unprofessional conduct.

We realize that most of you know this. But for any licensed psychologist associate who has recently started using "PsyA" or is thinking of doing so, please be aware that this could result in a complaint filed against you.

* The Office of Degree Authorization is required by statute to provide for the protection of the citizens of Oregon by ensuring the quality of higher education and preserving the integrity of an academic degree as a public credential. ODA administers laws, standards, and services that protect students, holders of legitimately earned degrees, institutions, businesses, employers, patients or clients, and licensing boards.

DSM: Who can diagnose?

The Diagnostic Statistic Manual (DSM) states that its diagnostic use is intended for psychiatrists and clinicians. The American Psychiatric Association's criterion for who can diagnose with the DSM is ambiguous and authority to diagnose is often authorized at the state level. In the State of Oregon, the licenses approved to issue diagnoses with the DSM are: Psychologist, Psychologist Associate, Licensed Professional Counselor, Licensed Marriage and Family Counselor, Certified Social Work Associate, Licensed Clinical Social Worker, and psychiatrists.



Dr. Fran Ferder, Board Chair and Dr. Daniel Munoz, Board Vice-Chair.



Janelle Houston, Board Staff, and James Hendry, Public Board Member, converse during a break at an OBPE Board Meeting.



Dr. Anne-Marie Smith, holding her daughter, and Dr. Patricia Bjorkquist enjoying a break at the November 23, 2013 Board Retreat.

2013 Year End Statistics

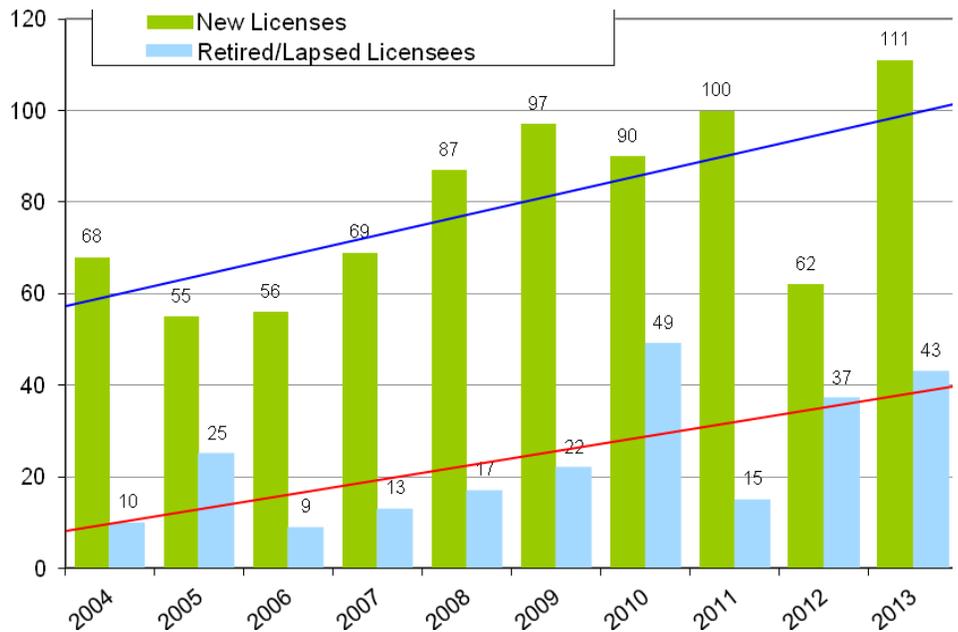
In 2013, the Board issued 111 new psychologist licenses- the most in our history! This is a 79% increase from last year.

About our new licensees:

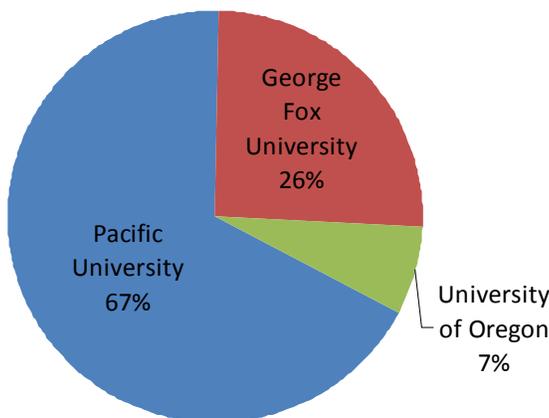
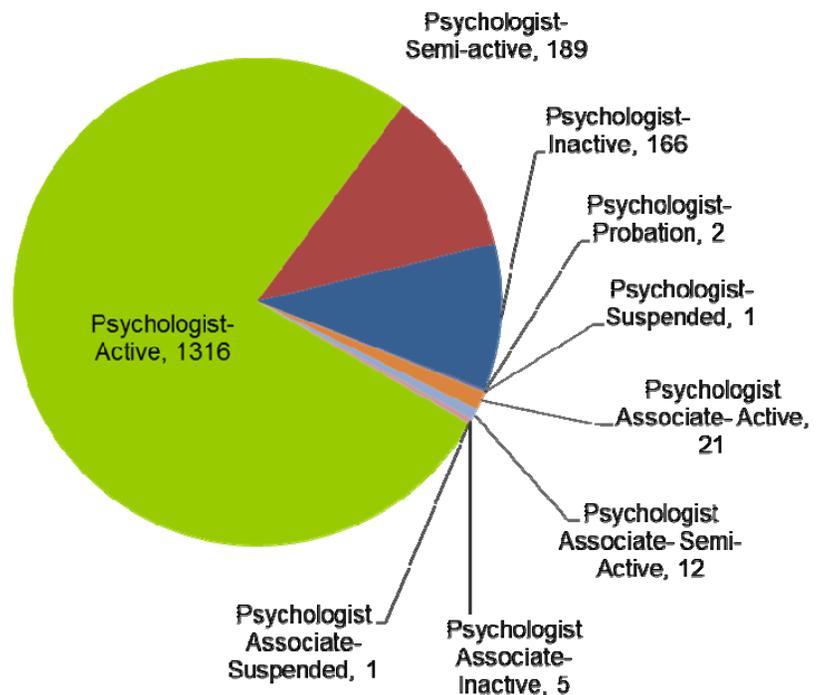
- 38.7% (43) graduated from Oregon programs.
- 94.6% (105) held degrees from APA/CPA-approved programs.
- 40.5% (45) were previously licensed in another state (“endorsement applicants”) and 59.5% (66) had not been previously licensed (“standard applicants”).
- New licensees represented the following age groups:
 - 25 to 34 – 41.4% (46)
 - 35 to 44 – 30.6% (34)
 - 45 to 54 – 13.5% (15)
 - 55 to 64 – 9.9% (11)
 - 65 to 74 – 3.6% (4)
 - 75 to 84 – 0.9% (1)

About all our licensees:

- At the 2013 year end, there were 1716 total licenses. 43 retired or allowed their license to lapse. At the 2012 year end there were 1,648 total licensees.



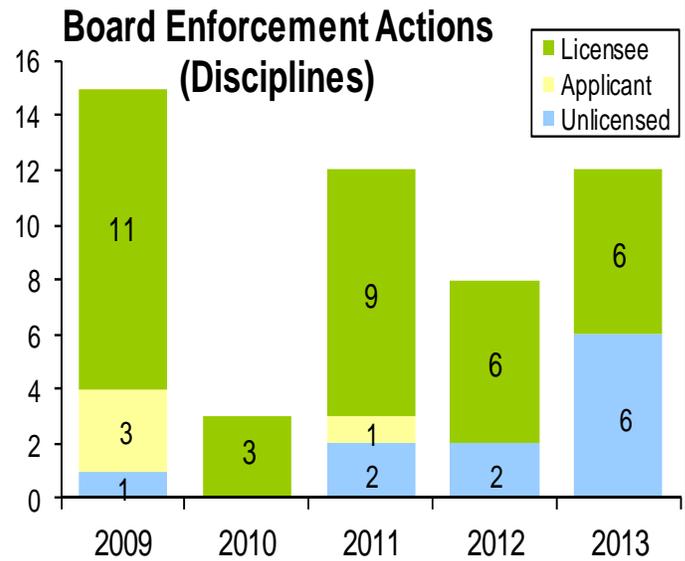
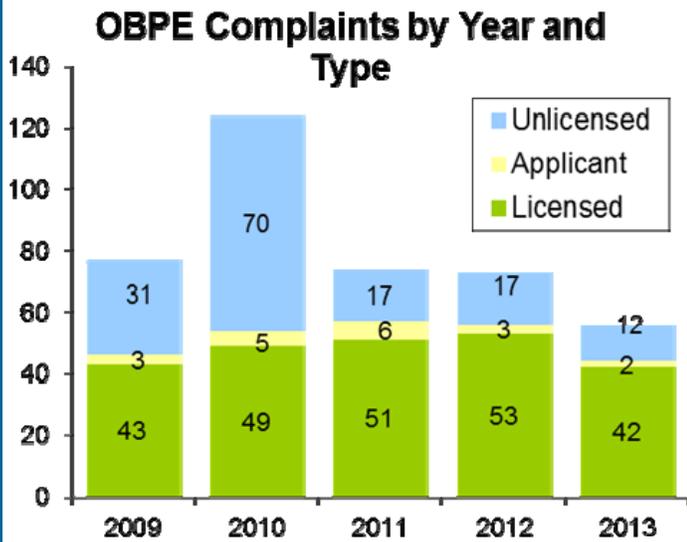
Licensee Types & Statuses



About our 2013 Applicants:

- 146 new applications for licensure were received in 2013.
- 115 candidates sat for the Oregon Jurisprudence Exam. The pass rate for 2013 was 97.4%, and the average score was 86.2% (72% is passing).

Stats Continued...



About Board Investigations:

- Out of the 56 total complaints that were investigated in 2013, 9 were mandatory reports (under ORS 676.150).
- \$9,046 in civil penalties was collected in 2013, and \$38,650 is currently owed.
- There were 2 contested case hearings held in 2013.

2013 Customer Satisfaction Survey:

- Of the 71 who responded, 56 were licensees, 13 were applicants or residents, one was a complainant, and one was another health professional.
- In 2012, the overall satisfaction with OBPE services rating averaged 3.13.

Survey Responses							
	<i>Excellent</i>	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Don't know</i>	<i>Rating Average</i>	<i>Response Count</i>
Please rate your overall satisfaction with OBPE services.	26	29	12	2	2	3.14	71
The timeliness of the services provided by OBPE.	26	24	8	3	9	3.20	70
The ability of OBPE to provide services correctly the first time.	31	18	9	3	9	3.26	70
The helpfulness of OBPE employees.	37	15	6	4	8	3.37	70
The knowledge and expertise of OBPE employees.	34	17	6	4	9	3.33	70
The availability of information at OBPE.	25	25	11	3	6	3.13	70

Our Mission

The mission of the Oregon Board of Psychologist Examiners is to promote, preserve and protect the public health and welfare by ensuring the ethical and legal practice of psychology.

Our Core Values

- Transparency
- Integrity
- Objectivity
- Accountability
- Compassion

OBPE Disciplinary Actions

During the period of time from June 1, 2013 through December 31, 2013, the Board reviewed and closed 20 investigative cases involving psychologists in which it found insufficient evidence to issue a statement of charges, and reviewed and closed one case involving non-psychologists. In addition to issuing remedial action in two cases, the Board took the following action:

Marco A. Castaneda – **DEFAULT ORDER** was approved and signed on July 7, 2013. Mr. Castaneda was found to have engaged in unlicensed practice by the Board. Mr. Castaneda was hired as an independent contractor for Child Adult Intervention Services and performed tests on multiple clients, interpreted the tests, assigned DSM IV-TR diagnoses, and made treatment recommendations. The Board found that the described acts and conduct constituted the unlicensed practice of psychology, to include representing himself as a psychologist by offering or rendering services included in the practice of psychology, and violated ORS 675.020 (1)(a) and (b), ORS 675.070 (1)(g) and ORS 675.070(3)(b)(E). The Board ordered Mr. Castaneda to pay a civil penalty of \$5,000 within 30 days of the signed order.

Allan Faatz – **DEFAULT ORDER** was approved and signed on October 3, 2013. The Board found that the following conduct constitutes violations of ORS 675.020(1)(a) and (b), ORS 675.070 (1)(g) and ORS 675.070(3)(b)(E): engaging in the unlicensed practice of psychology and representing himself to be a psychologist by offering or rendering services included in the practice of psychology. The Board ordered Mr. Faatz to pay a civil penalty of \$1,500 within 30 days of the signed order.

Pam Faatz – **DEFAULT ORDER** was approved and signed on October 3, 2013. The Board found that the following conduct constitutes violations of ORS 675.020(1)(a) and (b), ORS 675.070 (1)(g) and ORS 675.070(3)(b)(E): engaging in the unlicensed practice of psychology and representing herself to be a psychologist by offering or rendering services included in the practice of psychology. The Board ordered Mrs. Faatz to pay a civil penalty of \$1,500 within 30 days of the signed order.

Richard King – **FINAL ORDER** was approved and signed on October 10, 2013. On September 24, 2012, Circuit Court Judge Albin W. Norblad granted a permanent injunction against Mr. King. The court found that the Mr. King acted in violation of ORS 675.010(1)(a) by unlawfully practicing psychology in Oregon without a license, administering and interpreting psychological tests and instruments, rendering diagnoses of behavioral, emotional and mental disorders, and making treatment recommendations. Mr. King is enjoined from representing himself to the public to be a psychologist in any medium and from offering to practice psychology, and is ordered to pay a civil penalty of \$10,000.

Disciplinary Actions Continued...

Christian Wolff – **FINAL ORDER** was approved and signed on December 12, 2013. The order adopted Administrative Law Judge, Dove L. Gutman, ruling granting the Board’s motion for summary determination. The Administrative Law Judge (ALJ) agreed with the Board that Mr. Wolff engaged in immoral and unprofessional conduct, in violation of ORS 675.020(1)(b) and (2). Mr. Wolff deliberately placed the initials “PsyA” after his name on letterhead and websites made available to the public, in the same location that licensed psychologists place the initials “Psy.D.” and “Ph.D.” to designate a doctorate in psychology. The ALJ found that this conduct constitutes making a false, deceptive or fraudulent statement concerning his academic degree and credentials. The ALJ also found that Mr. Wolff, by listing “Master of Arts Clinical Psychology,” behind the word “Degrees” on a website made available to the public, engaged in conduct that violated ORS 675.020(1)(b)& (2). The ALJ agreed with the Board that Mr. Wolff should be assessed a civil penalty in the amount of \$10,000, and that his license should be suspended for one year with all but 30 days of the suspension being stayed provided that Mr. Wolff produces persuasive evidence that he has removed the words “clinical psychology” or “practicing psychology” and the initials “Psy.A.” (or initials closely resembling these) from all websites, letterheads, advertising, or other representations to the public that refer to Mr. Wolff by name.



Ashlie Rios & Devin Salinas



The Board interacting with the public during a break.



Devin Salinas & baby Madeline



Upcoming Events in 2014

January

- 1/2 – Office Closed for New Year’s Day Holiday
- 1/10 – Oregon Jurisprudence Examination *
- 1/17 – **Board Meeting**
- 1/20 – Office Closed for Martin Luther King, Jr. Holiday

February

- 2/3 – Consumer Protection Committee Meets
- 2/7 – Oregon Jurisprudence Examination *
- 2/17 – Office Closed for President’s Day Holiday

March

- 3/3 – Consumer Protection Committee Meets
- 3/7 – Oregon Jurisprudence Examination *
- 3/21 – **Board Meeting**

April

- 4/7 – Consumer Protection Committee Meets
- 4/11 - Oregon Jurisprudence Examination *

Reminders

BE GREEN! Please make sure to update your email address with us if it changes so that you continue to receive correspondence. If you have not provided one, please do so. **Also, we are now collecting public email addresses.** Your current email is, of course, kept private, but if you would like to provide a public email please send it to: oregon.bpe@state.or.us.

The Examiner is the official newsletter of the Oregon Board of Psychologist Examiners and is edited by board staff. Please visit our website at www.oregon.gov/obpe call 503-378-4154 with any comments or suggestions.



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