

**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS**

**MINUTES OF MEETING  
January 12-13, 2012**

By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Psychologist and Psychological Associate Examiners was held January 12-13, 2012 at the Atwood Building, 550 W. 7<sup>th</sup> Avenue, Suite 1860, Anchorage, Alaska.

Thursday, January 12, 2012

**Call to Order/Roll Call**

The meeting was called to order at 8:31 a.m. by Lisa Turner, Chair.

Those present, constituting a quorum of the Board:

Lisa Turner, Psychological Associate – Chair  
Cam Carlson, Public Member  
Kristi Fuller, Psychologist

In attendance from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing, were:

Cori Hondolero, Records & Licensing Supervisor  
Quinten Warren, Chief Investigator

**Agenda Item 1 – Review Agenda**

The Board reviewed the agenda. A question was brought up regarding AK-PA; are they always supposed to be placed on the agenda? And who is the current point of contact?

The Board requested that the draft archive procedures be placed on the agenda as item 17a.

**Agenda Item 2 – Review Task List**

The Board reviewed the task list.

- Dr. Fuller – had written her State exam questions and will review with the Board.
- Ms. Turner – had created draft procedures for archiving, court records checks and had written State exam questions to review with the Board.

**Agenda Item 3 – Ethics Disclosure**

There were no ethics issues to disclose.

**Agenda Item 6 – Goals & Objectives**

The Board reviewed the Goals and Objectives for fiscal year 2012 as previously adopted and made no changes.

**Agenda Item 7 – Application Review**

The Board reviewed the following applications:

Psychologist

Lisa Lyall  
James Fitterling  
Marianne Holman

Courtesy License

Michael Villanueva

**Upon a motion by Mrs. Carlson, seconded by Dr. Fuller and approved unanimously, it was:**

**MOVED to approve the following psychologist applications for licensure by credentials:**

**Lisa Lyall  
James Fitterling  
Marianne Holman**

**Upon a motion by Mrs. Carlson, seconded by Dr. Fuller and approved unanimously, it was:**

**MOVED to approve Michael Villanueva for a courtesy license.**

**Agenda Item 8 – Court Records Procedure**

The Board reviewed the written procedure for court records and documentation. The Board wanted to add a note about referral to investigations based on there being a difference between an applicant's answers on the application and what was found on the court website.

**Agenda Item 5 – Investigative Report**

Quinten Warren, Chief Investigator was in attendance to present the investigative report.

Open Complaints:

None

Open Investigations:

None

Complaint or Investigation Activity Since Last Board Meeting

2902-07-001	Violation Prof. Ethics	Closed – Advisement Letter
2011-000600	Unethical Conduct	Closed – No Action/No Violation
2011-000741	Criminal Conviction/ Action in Another State	Closed – License Notice
2011-001035	Other	Closed – No Action/No Violation
2012-000026	Application Problem	Closed – Board Review

Mr. Warren stated that he would scan copies of prior Board actions to Ms. Hondolero for distribution to the Board.

The Board wanted to pass along their compliments to Investigator Keiser for doing a good job.

Mr. Warren noted that before finalizing a matter, the investigator will consult with a licensed person and in some cases the Division may need to pay someone to complete a consult. The Board asked about different actions taken by the investigative unit. Mr. Warren did note that there have been recent changes regarding classifying cases which may affect a licensee’s insurance.

Advisement letter – Used when close to the line or violation does not warrant license action. May outline potential issues. Basically a ‘warning letter’ that puts them on notice. Provides record within investigations, but it is not a public document.

Intake – When a call is received in the investigative unit notes are taken, a complaint packet is sent out to the caller and jurisdiction is checked. The caller has 30 days to submit their complaint form and if the form is not received, the case is closed. If the form is returned, the investigator will review with a person licensed within that profession. There must be evidence to support/prove that a violation occurred. If there is sufficient evidence, then it becomes an investigation. In the future ‘investigation’ numbers may match more closely to actual ‘license actions.’

License Notice – Uncommon; this may be when an inquiry is received. The investigator may have information from a prior licensing file. It was also noted that most expired licenses are destroyed after 10 years. Some licenses are aware of this and may try to apply after their prior file(s) are destroyed.

Board Review – The Board makes its own determination regarding issuance of a license at the close of the investigation.

Board members asked if the Board has subpoena power. Mr. Warren stated that they do.

Ms. Turner mentioned hearing about ‘fishing expeditions,’ this is when an investigator makes contact and says that an anonymous complaint was received and the licensee ends up self

reporting. Mr. Warren stated that the Division does not really accept anonymous complaints. When you can't independently verify information, that does not work. When a complaint is filed, the complainant must sign the form and it is a crime if the information is not true.

The Board asked when a licensee is notified about a complaint. Mr. Warren responded that sometimes licensees are never notified. Sometimes the licensee only becomes aware of the investigation when the investigator knocks on their door and sometimes the interviews are conformational.

Mr. Warren stated that information gained by investigators at conferences or received from other States can be helpful, as case law can be used. Ms. Turner asked Ms. Hondolero to send copies of the ASPPB information to Mr. Keiser and Mr. Warren.

The Board thanked Mr. Warren for attending and sharing so much useful information.

### **Agenda Item 9 – Review/Approve Minutes**

The Board reviewed the October 13-14, 2011 meeting minutes. The following changes were made:

- Page 2, move items under #3 to #16
- Page 4, Item No. 8 8<sup>th</sup> bullet, change “bulletin” to “bullet”
- Page 4, Item No. 8 under the motion, change “lunch” to “recessed” and “back” to “reconvened”
- Page 5, first sentence, delete “of what was completed”
- Page 5, top of page, last bullet, reword to say “Records retained in chronological order as well as in individual files”
- Page 5, Item No. 12, last sentence, add “a” between creating and Board.
- Page 6, Item No. 16, add information moved from Item No. 3
- Page 6, Item No. 18, change “was not” to “is no longer” and capitalize State
- Page 7, Rose Piper bullet, amend to say “approved pending additional documentation”
- Page 8, First sentence, add “s” to psychologist
- Page 8, Item No. 13, under next meeting section, change to say “one and a half days”
- Page 9, second bullet on page, add “s” to Commission

**Upon a motion by Mrs. Carlson, seconded by Dr. Fuller and approved unanimously, it was:**

**MOVED to adopt the October 13-14, 2011 meeting minutes as amended.**

### **Agenda Item 11 – AK-PA Communication**

There was no representative from AK-PA in attendance at the meeting. It was noted that there is still confusion at AK-PA regarding the Boards stance on cross-cultural diversity training. There was Board discussion about the possibility of trying to participate in the next AK-PA meeting via Skype or in person.

The Board would like to let AK-PA know that they are working on the license fee issue and that per the Director; it is likely that fees will go down. The Board also has not felt the need to change

the regulations to require cross-cultural hours. It was noted that suicide and substance abuse are also issues, but there are not hours required for these topics either. It was felt that it would be best to take this information directly to AK-PA and to also advise AK-PA of Board vacancies, should any of their members want to apply.

#### **Agenda Item 14 – ASPPB Annual Meeting**

Ms. Turner gave her summary of the Annual ASPPB meeting and discussed the presentation given by Dale Atkinson. Ms. Turner wanted to make sure that the Board was aware that Mr. Atkinson is available to answer questions because the Board is a member of ASPPB.

The highlights of the presentation were:

- There should be a process to deal with licensees at renewal. One way is to try to negotiate an agreement before they don't have a license anymore.
- Always give a reason for entering executive session.
- It is not a good practice to allow licensees to voluntarily surrender their licenses and the application should ask if the applicant has ever voluntarily surrendered a license.
- There is no such thing as tele-health; you need a license to practice.
- Boards get to define moral turpitude.
- Denial vs. licensing under a consent agreement. Board has discretion regarding what terms of the agreement are. May be more cost effective due to the applicant's ability to request a hearing.
- Specify terms of revocation, otherwise they can keep reapplying.
- Once the Board has an established procedure it may get into trouble for not following the 'set' procedure.
- It is better to charge fines vs. restitution because the fines are not subject to bankruptcy.

**Upon a motion by Mrs. Carlson, seconded by Dr. Fuller and approved unanimously, it was:**

**MOVED to recess until 3:00 p.m.**

Recess at 11:50 a.m.; back at 3:00 p.m.

#### **Agenda Item 10 – Status of Cost Reversal**

Sara Chambers, Program Coordinator called in to the meeting.

Ms. Chambers had prepared a memo to the Board dated 1/4/12 regarding the legal expenses incurred by the Board. This memo clarified that some of charges from the Department of Law were due to regulation projects, but the larger portion of the billing was related to a disciplinary case.

The Board asked if the current research being conducted was being charged to the Board. Ms. Chambers replied that it was not being charged directly to the Board, but would be charged as general administrative and only a small percentage of the cost would be charged to the PSY Board.

Ms. Turner stated that she had previously provided a chronological list to Director Habeger. Ms. Chambers stated that she had not seen this list, but would like to. Ms. Turner stated that she would e-mail Ms. Chambers a copy.

Ms. Chambers asked for a brief history regarding the regulations and Department of Law involvement. Ms. Turner stated that the Board had inquired about adding the requirement of a background check to the application process. Department of Law drafted regulations stating that there was statutory authority that allowed for this and then the project was kicked back by the Regulations Specialist because there was no authority. At that point, the Board stopped the project and directed Board staff to do a public records check.

Ms. Turner and Ms. Chambers agreed to continue working together on this research and stated that they would cc Ms. Hondolero on all e-mails.

#### **Agenda Item 4 – Correspondence**

The Board read the July 2011 letter from AK-PA regarding continuing education requirements. It was noted that the Board would try to clarify the topics face-to-face at the next AK-PA meeting.

#### **Agenda Item 12 – Courtesy Licensing Reporting**

Current courtesy license reporting will be provided to the Board at the April 2012 meeting.

#### **Agenda Item 13 – Public Comment**

No guests in attendance for Public Comment.

**Upon a motion by Mrs. Carlson, seconded by Dr. Fuller and approved unanimously, it was:**

**MOVED to recess until 8:30 a.m.**

Recess at 4:00 p.m.

Friday, January 13, 2012

#### **Call to Order/Roll Call**

The meeting was called to order at 8:38 a.m. by Lisa Turner, Chair.

Those present, constituting a quorum of the Board:

Lisa Turner, Psychological Associate – Chair  
Cam Carlson, Public Member  
Kristi Fuller, Psychologist

In attendance from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing, was:

Cori Hondolero, Records & Licensing Supervisor

**Agenda Item 15 – Continuing Education Audit**

The Board reviewed the CE Audits that were available.

**Upon motion by Mrs. Carlson, seconded by Dr. Fuller and approved unanimously, it was:**

**MOVED to approve the following CE Audits:**

- Danelle Winn – #511
- Rose Piper – #558
- Judith Dean – #403
- Pamela Baglien – #147
- Linda Eisenberg – #407
- Suzanna Price – #370
- Raymond Pastorino – #445
- Nan Truitt – #593

**Upon motion by Mrs. Carlson, seconded by Dr. Fuller and approved unanimously, it was:**

**MOVED to approve the audit of Randy Moss pending additional verification of the courses taken.**

**Upon motion by Mrs. Carlson, seconded by Dr. Fuller and approved unanimously, it was:**

**MOVED to deny the audit of John Kesselring because in accordance with 12 AAC 60.310(b), no more than ½ of the hours can be independent study.**

**Agenda Item 16 – CE Audit Voting Ballot**

The Board reviewed the template CE voting ballot and made edits. The edits were passed on to staff for future use. It was noted that the ballot sections should mirror the renewal form.

The Board asked about the status of conducting a court view records search on all 2011 licensees who renewed. Ms. Hondolero stated that to her knowledge this had not been done. The Board stated that due to recent and ongoing staff vacancy, the practice of conducting these reviews could be started with the 2013 renewal cycle.

It was noted that the renewal application also needs to be updated. Category No. 2 needs to be called “graduate academic continuing education.”

**Agenda Item 17 – Motions Script**

The Board reviewed templates for Board archive procedures and motion scripts. Edits were made and given to staff for implementation.

### **Agenda Item 18 – State Law & Ethics Exam**

The Board set the following months for the State exam to be administered in 2012:

- February 2012
- May 2012
- August 2012
- November 2012

Discretion was given to Board staff to set the day of the month that the exams will be administered. Ms. Hondolero noted that these dates would be added to the Boards website along with PDF copies of the exam study materials. Before the PDFs are placed online, staff will check with Ms. Turner to assure that the correct versions are being used.

It was noted that the next questions for future 2012 exams would be selected at the April 2012 meeting.

**Upon a motion by Mrs. Carlson, seconded by Dr. Fuller and approved unanimously, it was:**

**MOVED to go into executive session to review State exam questions.**

Executive session at 10:51 a.m.; back on record at 11:34 a.m.

### **Agenda Item 19 – Board Vacancy**

After Board discussion about current vacancies and the possibility of new appointments pending, it was decided that elections would be placed on the April 2012 meeting agenda.

It was also noted that it would be very helpful to any new Board members to receive information about the different processes prior to attending their first meeting and grading State exams.

### **Agenda Item 20 – Administrative Issues**

#### **Budget Report**

The Board reviewed the Expenditure and Revenue Report.

#### **Schedule Next Meeting**

April 12-13, 2012 - Anchorage

#### **Task Lists**

Dr. DeRuyter (tasks held over from prior meeting)

- Draft proposed regulation on tele-psychology.
- Create new exam question.



Kristi Fuller

- Attend the AK-PA meeting on behalf of the Board

Staff

- Update the State exam information on the Boards website
- Update template ballots, motions scripts and archive procedure sheets
- Update Board website re: State exam

Lisa Turner

- Work with Ms. Chambers regarding legal expenses charged to the Board

**Upon a motion by Dr. Fuller, seconded by Mrs. Carlson and approved unanimously, it was:**

**MOVED to adjourn.**

There being no further business, the meeting adjourned at 11:46 a.m.

Respectfully Submitted:

\_\_\_\_\_  
Alysha Hernandez  
Licensing Examiner

Approved:

\_\_\_\_\_  
John DeRuyter, Chair

Date: \_\_\_\_\_