

**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
December 3, 2010**

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 December 3, 2010 at the Atwood Building, 550 W. 7th Avenue Suite 240, Anchorage, Alaska.

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
John DeRuyter, Psychologist
Iva GreyWolf, Psychologist

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

Jan Mays, Licensing Examiner
David Newman, Investigator, Item No. 5

Guests:

Dan Branch, Attorney, Department of Law (via teleconference), Item No. 13

Agenda Item 1 – Review Agenda

The Board reviewed the agenda and made the following changes:

- Add Correspondence
- Add Consent Agreement on Cara Peters Case No. 2950-10-001
- Delete Item No. 14.

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

MOVED to approve the agenda as amended.

Agenda Item 2 – Review Task List

The Board reviewed the task list. The following Board tasks are pending:

- Dr. DeRuyter – Draft proposed regulation on tele-psychology.
- Cam Carlson - Revise Exam question 28.
- Jan Mays – Boards & Commission Procedure on reappointing Board members.

Break at 8:44 a.m.; back on record at 8:52 a.m.

Agenda Item 3 – Ethics Video

The Board watched the ethics video.

Agenda Item 4 – Ethics Disclosure

There were no ethic violations to disclose.

The Board requested that Mrs. Mays identify who is the ethics supervisor for Board members.

Agenda Item 5 – Investigative Report

David Newman, Investigator joined the meeting to present the investigative report. In addition, Gary Keiser was present to introduce himself to the Board as the new investigator.

Open Complaints:

C2901-08-001	Unlicensed Practice	Review Ongoing – (Inv. Susan Winton)
2010-000671	Violating Professional Ethics	Board Member Review
2010-000982	Incompetence	Review Ongoing

Open Investigations:

2902-07-001	Violating Professional Ethics	Consent Agreement Pending – (Inv. Susan Winton)
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Complaint or Investigation Activity Since Last Board Meeting:

2950-10-001	Violating Professional Ethics	Closed – Board Request/Drafted Agreement
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Upon a motion by Dr. DeRuyter, seconded by Mrs. Carlson and approved unanimously, it was:

MOVED to enter into executive session to discuss the general confidential matters on the Cara Peters Case No. 2900-09-002.

Executive session at 10:05 a.m.; back on record at 10:30 a.m.

Agenda Item 6 – Review/Approve Minutes

The Board reviewed the September 2-3, 2010 meeting minutes and made the following changes.

September 2-3, 2010

- Page 1 – First paragraph, capitalize “street” after “Spruce”.
- Page 1 – Under Excused, capitalize “W” in “Greywolf”.
- Page 1 – Add agenda items to attendee’s.
- Page 1 – Add “(via teleconference)” after “Dave Burlin, Attorney”.
- Page 3 – First paragraph, first sentence, delete “new”.
- Page 3 – Item No. 5, Tenth bullet; add “before” after “licensure”.
- Page 4 – Item No. 8, third paragraph, add notation regarding Cara Peters aware of the meeting schedule.
- Page 4 – Item No. 8; add “back on record at 1:00 p.m.” after “Recess for lunch at 12:00 p.m.”.
- Page 5 – Item No. 10, last paragraph, change “accumulative” to cumulative”.
- Page 5 – Item No. 11, second paragraph, add new sentence “Board had been previously advised that they had the authority to include criminal background checks”.
- Page 6 – Add “till 8:30 a.m., Friday, September 3, 2010” after “Recess at 4:30 p.m.”.
- Page 6 – Under “Excused”, change “Greywolf” to “GreyWolf”.
- Page 6 – Item No. 13, first paragraph, first sentence, add “over the” after “that”.
- Page 6 – Item No. 13, first paragraph, first sentence, change “increase” to “increased”.
- Page 8 – Item No. 15, third sentence, delete “Advisory that he will be” and replace it with “workgroup”.
- Page 8 – Item No. 15, third sentence, delete “for”.
- Page 8 – Item No. 15, fourth sentence; add “possible” after “draft”.
- Page 8 – Item No. 16, second paragraph, delete “to eliminate one of the license requirements”.

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

MOVED to adopt the September 2-3, 2010 meeting minutes as amended

Agenda Item 7 – Public Comment

There were no individuals in attendance for public comment.

Agenda Item 8 – Goals & Objectives

The Board reviewed the Goals and Objectives for fiscal year 2011.

1. Enforcing the Psychology Practice Act in order to protect the public.
2. Ensuring the public of continued competency of licensed psychology professionals.
3. Ensuring the public that psychological care is offered by professionally qualified persons.
4. Ensuring the public that qualified psychology practitioners are available.
5. Promoting high professional standards of psychology practice.

The Board suggested inquiring with Dan Branch, Department of Law concerning the North American Free Trade Agreement.

Ms. Turner requested that Mrs. Mays research the origin of the Goals & Objectives, and identify any relevant compliance guidelines.

Agenda Item 9 - Applications

The Board reviewed the following applications for psychologist by examination:

Hayley Tonkovich
Joshua Swift

Upon a motion by Dr. Fuller, seconded by Dr. DeRuyter and approved unanimously, it was:

MOVED to approve Dr. Hayley Tonkovich and Dr. Joshua Swift's post-doctoral supervision plans, issue temporary licenses, approve to sit for EPPP and State Law & Ethics Exam.

The Board reviewed the following applications for licensure as a psychologist:

James Manley
Marie Rush
Daniel Gonzales
Debra Brownlee

Upon a motion by Dr. Fuller, seconded by Dr. DeRuyter and approved unanimously, it was:

MOVED to approve Dr. James Manley, Dr. Marie Rush, Dr. Daniel Gonzales, and Dr. Debra Brownlee's psychologist licenses by credentials.

Agenda Item 10 - Courtesy Licensing Reporting

The Board reviewed the courtesy license reporting spreadsheet.

Agenda Item 11 - State Law & Ethics Exam

Mrs. Mays stated there were no candidates sitting for the September State Law & Ethics examination; therefore there were no scores to review.

The Board proposed on taking a short lunch and reconvene at 12:30 p.m.

Lunch at 11:53 a.m.; back on record at 12:41 p.m.

Agenda Item 12 - ASPPB 50th Annual Meeting of Delegates

Ms. Turner stated that she attended the ASPPB Annual meeting, which was held in Savannah, Georgia. Ms. Turner provided a brief summary on the high points of the meeting.

Ms. Turner proposes that Mrs. Mays provide a copy of the ASPPB's Top Ten Recent Regulation Cases to the Board after every annual meeting. In addition, Ms. Turner requested that Mrs. Mays ascertain the procedure for accessing the ASPPB data bank of summary data.

The Board agreed to allow the attendance by one Board member of two conferences per year, in any combination of ASPPB Annual or MidYear meeting, and Council on Licensure, Enforcement and regulation (CLEAR) Annual conference.

The Board amended the Goals & Objectives to reflect this change.

Agenda Item 13 – Proposed Regulations

The Board called Dan Branch, Department of Law via teleconference to discuss the topic of criminal background checks. The Board is seeking legal advice on how to accomplish this goal of requiring criminal background checks for licensees.

On an unrelated topic, the Board inquired of Mr. Branch his knowledge of why compliance with the North American Free Trade Agreement (NAFTA), would be included in the Goals & Objectives. He indicated that it would only be relevant if the Board practiced reciprocity across international borders, and as such was not relevant for this Board.

Mr. Branch reviewed statute 08.86.130 which outlines the requirements for licensure. In that section it states that the Board shall issue a license to a person who has not engaged in dishonorable conduct related to the practice of counseling or psychometry. Mr. Branch gave an opinion that the Board can add a professional fitness question in the application that asks if the applicant has ever been convicted of any crime, other than minor traffic violations as an adult.

The Board requested that Mrs. Mays begin to check for Alaska and equivalent in any other state in which the applicant has been licensed and resided, for all applicants. The Board also directed Mrs. Mays to add the new professional fitness question to the applications. Mrs. Mays believes that the Board has the authority to add new questions in the Professional Fitness section. Mrs. Mays will verify this with Cori Hondolero, Records Licensing Supervisor.

The Board proposes to add a new subsection in 12 AAC 60.055 denial of application to read,

(5) been convicted as an adult of any crime other than minor traffic violations.

Upon a motion by Dr. GreyWolf, seconded by Dr. DeRuyter and approved unanimously, it was:

MOVED to adopt the propose language for a new subsection of 12 AAC 60.055, denial of application to read, (5) been convicted as an adult of any crime other than minor traffic violations.

Agenda Item 14 – Alaska Psychological Association (AK-PA)

Mrs. Mays informed the Board that Dr. Phillip Baker will not be available to provide an update from AK-PA.

Agenda Item 15 – Administrative Issues

Cara Peters Consent Agreement Case No. 2950-10-001

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

MOVED to adopt the Consent Agreement and Proposed Decision and Order, Case No. 2950-10-001, Cara Peters. The Board may enforce the Consent Agreement by refusing to reconsider Respondent's application and declining to issue her a new temporary license, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement.

Correspondence

Lori Volden – University of Alaska Anchorage, Office of Registrar

The Board reviewed the letter from Ms. Volden regarding Julia Coyle. The Board determined that this was not a Board issue. No action was taken.

Dr. Rebecca Mitchell – Telebehavioral Health

The Board reviewed the email from Dr. Mitchell inquiring on Telebehavioral health. The Board directed that Mrs. Mays direct Dr. Mitchell to the Alaska statutes & regulations.

Joshua Swift

The Board reviewed the email from Dr. Swift regarding supervision hours. The Board requested that Mrs. Mays respond by directing him to the statutes and regulations.

Mary Dang – Alaska Ethics Complaint for Custody Evaluations

The Board reviewed the email from Ms. Dang. The Board understood that the request is for Mrs. Mays participation. The Board deferred to Mrs. Mays discretion regarding participation.

Drexel University

The Board reviewed a letter from Drexel University regarding a research study and determined no response was needed.

Budget Report

The Board reviewed the Expenditure and Revenue Report.

The Board requested that Mrs. Mays gather information on the statistic report that was included in the Budget report. The Board is not familiar with this spreadsheet and would like clarification.

Schedule Next Meeting

The Board requested one and half days for future meetings. The Board will request two full days, if necessary.

The following are meeting dates for 2011:

February 17-18, 2011 in Anchorage

June 16-17, 2011 in Fairbanks

October 6-7, 2011 in Anchorage

Sign Wall Certificate

No wall certificates to sign.

Meeting Minutes Signed

The minutes for the May 21, 2010 meeting were signed by Ms. Turner, Chair.

Task Lists

Dr. DeRuyter

- Draft proposed regulation on tele-psychology.

Cam Carlson

- Revise Exam question 28.

Jan Mays

- Boards & Commission procedure on reappointing Board members.
- Find out who the ethics supervisor on reporting ethic violations.
- Research on who originated the Goals & Objectives and what the guidelines are.
- Research on ASPPB Summary data of exams.
- Provide a copy to the Board on the ASPPB Top Recent Regulatory cases.
- Research similar professional fitness questions from other professions.
- Add on the application checklist "Check Alaska Courtview".
- Request information on the statistical spreadsheet from Cathy Mason.

There being no further business, the meeting adjourned at 3:10 p.m.

Respectfully Submitted:

Jan Mays
Licensing Examiner

Approved:

Lisa Turner, Chair

Date: _____