

**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  
March 13-14, 2008**

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 March 13-14, 2008, at the Atwood Bldg, Suite 1270, Anchorage, AK.

**Thursday – March 13, 2008**

**Call to Order/Roll Call**

The meeting was called to order at 8:38 a.m. by Dr. Bradbury.

Those present, constituting a quorum of the Board:

Lorin L. Bradbury, Psychologist, Chairman  
Lisa Turner, Psychological Associate  
John DeRuyter, Psychologist  
Cam Carlson, Public Member

A psychologist position is vacant.

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

Jan Mays, Licensing Examiner  
Susan Winton, Investigator

**Agenda Item 1 – Review Agenda**

The Board reviewed the agenda and made the following changes to the agenda.

**Item 4**

- Add Steven Fey CEU Audit

**Item 13**

- Add 12 AAC 60.083(D)
- Add 12 AAC 60.080(a)(9)

Delete Item 5, Dr. Philip Baker will not be available via teleconference.

**Item 11**

- Arlys McDonald, Psychologist by Credentials
- Elizabeth McNeal, Reinstatement
- Michelle Grimes, Psychological Associate
- Nann Truitt, Supervision Plan

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

**MOVED to adopt the agenda as amended.**

**Agenda Item 2 – Review Task List**

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

- Jan Mays – email exam questions 1, 5, and 25 to Ms. Turner.
- Ms. Turner – revise exam questions 1, 5, and 25.
- Dr. DeRuyter – Create a new question regarding receiving gifts.
- Dr. Bradbury – create new essay question.

**Agenda Item 3 – Ethics Disclosure/Ethics Video**

No ethics issues to disclose.

**Agenda Item 4 – Investigative Report**

Susan Winton, Investigator presented the investigative report to the Board.

Since the December meeting, there has been completed inquiries on two complaints and continued work on three open investigations. The Board currently has one licensee on probation who is in compliance with the conditions of the Memorandum of Agreement.

**Complaints:**

2901-07-001	Unlicensed Practice	Inquiry complete; closed – no violation
2900-07-003	Violating Professional Ethics	Inquiry completed; requires review

**Investigations:**

2900-04-003	Violating Professional Ethics	Pending expert review
2900-06-001	Violating Professional Ethics	MOA rejected; pending expert review
2902-07-001	Violating Professional Ethics	Investigation on-going; requires review

**Probation:**

2902-06-001 Substance Abuse

In compliance; see supplemental report

Ms. Winton stated that the expert witness list only has two qualified witnesses, Dr. David Sperbeck and Dr. Paul Craig. The Board will provide a more current list for Ms. Winton.

The Board discussed Steven Fey's CEU denial. Mrs. Mays stated that JoAnna Williamson was in the Juneau office reviewing CEU's from the paralegal's desk. Ms. Williamson suggested that it go back to the Board and request a clearer breakdown on what courses are acceptable. Ms. Winton stated that she will handle Dr. Fey's CEU denial.

Break at 9:30 a.m.; back on record at 9:56 a.m.

### **Agenda Item 5 – Review/Approve Minutes**

The Board had a discussion regarding changing the meeting minute review process. The Board agreed that once the meeting minutes have been adopted with the approved changes that it does not go back to the Board for a final review. The meeting minutes will be signed by the chairman once the approved revision are completed.

#### **September 20-21, 2007**

Board approved these minutes with the changes at the December 14, 2007 meeting.

- Page 8 – Item 11, add a coma between “receipt” and “a” on the last sentence of the last paragraph.
- Page 8 – Item 11, add “to” between “change” and “the” on the last sentence of the last paragraph.

#### **December 14, 2007**

- Page 1 – Change “The Psychologist position is vacant”, to read “A Psychologist position is vacant”.
- Page 3 – Item 5, second motion, delete “The Board believes that one year therapy is insufficient”.
- Page 3 – Item 6, delete third paragraph. Add “Dr. Baker related that the Guild desired more communication with the Board. The Board invited AK-PA to increase their participation with public comment and to access public information. The Board discussed distinguishing between the roles of the Board and the Guild.”
- Page 6 – Item 12, to have the first paragraph read “The Board was unable to review Lillie (Michelle) Grimes application for psychological associate because the application was incomplete.
- Page 6 – Item 12, delete second paragraph.
- Page 7 – Item 17, delete “get the fingerprinting process going as part of the application process”. Add after “to”, “include criminal background checks into the application process”.

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

**MOVED to approve the December 14, 2007 meeting minutes as amended.**

Break at 10:05 a.m.; back on record at 10:11 a.m.

**Agenda Item 6 – Public Comment**

There were no individuals in attendance for public comment.

**Agenda Item 7 – State Law & Ethics Examination**

The Board reviewed the June 4, 2007 State Law & Ethic Examination scores.

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

**MOVED to enter into executive session to discuss the State Law & Ethics Examination.**

Executive session at 10:12 a.m.; back on record at 10:35 a.m.

**Agenda Item 8 – Correspondence**

**CAC News & Views Subscription**

The Board decided not to subscribe to the CAC News & Views.

**Canadian Psychological Association**

The Board reviewed the letter from the Canadian Psychological Association. The letter was a follow-up to the April 2007 meeting of the Association of State and Provincial Psychology Boards (ASPPB).

**Agenda Item 9 – Goals & Objectives**

The Board reviewed the Goals and Objectives for fiscal year 2008. The Board requested to delete Item 6 from the Goals and Objectives and to change the year on 2A, 2C and 2D from 2007 to 2009. Change the year 2006 to 2008 on 3B.

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.

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

**MOVED to approve the Goals & Objectives for fiscal year 2008.**

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

**MOVED to enter into executive session to continue discussing the State Law & Ethics Examination.**

Executive session at 11:03 a.m.; back on record at 11:54 a.m.

Lunch at 11:54 a.m.; back on record at 1:04 p.m.

**Agenda Item 10 – Application Review**

Reinstatement

Elizabeth McNeil, Psychologist License No. 402  
Margaret Beyer, Psychologist License No. 536

Psychological Associate Application

Lillie (Michelle) Grimes

Psychologist by Examination Application

Rebecca (Michelle) John

Supervision Plan Extension

Nan Truitt

Psychologist by Credentials Applications

Arlys McDonald  
Mark Zelig  
Eric Wilson

**Upon a motion by Dr. DeRuyter, seconded by Ms. Turner and approved unanimously, it was:**

**MOVED to approve the reinstatement of Dr. Elizabeth McNeil's psychologist license.**

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

**MOVED to approve the reinstatement of Dr. Margaret Beyer's psychologist license.**

**Upon a motion by Dr. DeRuyter, seconded by Ms. Turner and approved unanimously, it was:**

**MOVED to approve Lillie (Michelle) Grimes's post-master supervision plan, approve to sit for the EPPP and State exams and issue temporary license after passing exams.**

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

**MOVED to approve Rebecca (Michelle) John's post-doctoral supervision plan, pending verification of internship meeting the requirements of 12 AAC 60.083(a) (4). Verification of official transcripts from all undergraduate and graduate schools attended. Official transcripts must be received directly from the institution.**

**Upon a motion by Dr. DeRuyter, seconded by Ms. Turner and approved unanimously, it was:**

**MOVED to approve Nan Truitt to sit for the EPPP and State exams. Issue license upon receipt of completed supervision from Dr. Purisch and passing the exams. Extend temporary license to June 30, 2008.**

**Upon a motion by Dr. DeRuyter, seconded by Ms. Turner and approved unanimously, it was:**

**MOVED to approve Dr. Mark Zelig and Dr. Eric Wilson licensure by credentials.**

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

**MOVED to approve Dr. Arlys McDonald's licensure by credentials, pending receipt of EPPP score in accordance with 12 AAC 60.083(1) (B) (ii).**

Break at 3:32 p.m.; back on record at 3:44 p.m.

### **Agenda Item 11 – Masters Degree**

The Board reviewed the draft proposed regulation under Chapter 60, dealing with licensure, temporary license, and criteria for master's degree.

**Upon a motion by Ms. Turner, seconded by Dr. DeRuyter and approved unanimously, it was:**

**MOVED to adopt the Draft Proposed Regulations for 12 AAC 60.010(c) (d), 12 AAC 60.020(j) and 12 AAC 60.084.**

**Agenda Item 12 – Statute/Regulation Changes AS 08.86.18**

The Board discussed changing the language in 12 AAC 60.080 and 60.083. Dr. Bradbury discussed a potential statute change under AS 08.86.180(1). Dr. Bradbury read out loud the letter of support from AK-PA. AK-PA supports the Board modifying the language in statute under AS 08.86.180(1).

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

**MOVED to adjourn the meeting.**

There being no further business, the meeting adjourned at 4:43 p.m.

**Friday – March 14, 2008**

**Call to Order/Roll Call**

The meeting was called to order at 8:31 a.m. by Dr. Bradbury.

Those present, constituting a quorum of the Board:

Lorin L. Bradbury, Psychologist, Chairman  
Lisa Turner, Psychological Associate  
Cam Carlson, Public Member – arrived at 1:02 p.m.  
John DeRuyter, Psychologist

A psychologist position is vacant.

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

Jan Mays, Licensing Examiner  
Susan Winton, Investigator  
Jun Maiquis, Regulation Specialist – via teleconference

Guest Present:

Gayle Horetski, Assistant Attorney General - Department of Law – via teleconference  
Jenna Conley, Assistant Attorney General – Department of Law – via teleconference  
Bob Auth, Attorney – Department of Law  
John Tiemensen – Attorney  
Dr. Wendy Arundale

**Agenda Item 13 – Notice Regarding Proposed Decision**

Peter Igwacho

The Board reviewed the Notice Regarding Proposed Decision on Mr. Igwacho.

**Upon a motion by Ms. Turner, seconded by Dr. DeRuyter and approved unanimously, it was:**

**MOVED to adopt the Decision for Final Action on Peter Igwacho, OAH No. 07.0492-PSY, Board Case No. 2952-06-001 under the authority of AS 44.64.060(e) (1), as the final administrative determination in this matter.**

Wendy Arundale

The Board stated they were not prepared to review the Notice of Proposed Decision on Dr. Wendy Arundale. Mrs. Mays stated that the decision was hand delivered to the Juneau Office on March 11, 2008. The Board requested to discuss this matter further with legal counsel.

The Board called Jenna Conley, Assistant Attorney General, Department of Law via teleconference. Ms. Conley explained that it would be an ex-parte conversation, since she represents the division. Ms. Conley suggested the Board discuss this case with an attorney who has no involvement in this matter. Ms. Conley can contact an attorney from Department of Law if the Board wishes to get legal advice. The decision is due by the next regularly scheduled meeting occurring after April 11, 2008.

**Upon a motion by Dr. DeRuyter, seconded by Ms. Turner and approved unanimously, it was:**

**MOVED to enter into executive session to discuss OAH No. 07-0369-PSY in the matter of Dr. Wendy Arundale.**

Executive session at 9:06 a.m.; back on record at 9:52 a.m.

Break at 9:52 a.m.; back on record at 10:01 a.m.

Bob Auth, Attorney, Department of Law, joined the meeting to provide any legal advice to the Board in the matter of OAH No. 07-0369-PSY.

**Upon a motion by Dr. DeRuyter, seconded by Ms. Turner and approved unanimously, it was:**

**MOVED to enter into executive session to continue discussing OAH No. 07-0369-PSY in the matter of Dr. Wendy Arundale.**

Executive session at 10:01 a.m.; back on record at 11:20 a.m.

#### **Agenda Item 14 – Criminal Background Checks**

The Board called Gayle Horetski, Assistant Attorney General, Department of Law, Jenna Conley, Assistant Attorney General, Department of Law, and Jun Maiquis, Regulation Specialist, Division of Corporations, Business & Professional Licensing, via teleconference.

Ms. Turner stated that the Board would like to add criminal background checks as part of the application process for licensure. The Board has discussed this issue with Susan Winton,



Investigator. Ms. Winton presented the Board of Nursing statute and regulation as a template on how it can be incorporated into the process.

It's the Board's understanding that they have statutory and regulatory authority to add criminal background checks as part of the application process for licensure.

Ms. Horetski stated that both she and Ms. Conley reviewed the existing statute. Ms. Horetski stated that in this particular profession the licensing requirements are specifically set out by statute in 08.86.130. The Board does not have discretion to come up with their own licensing criteria. However, in 08.86.130(a) (2), this focuses on the background of the applicant.

Ms. Horetski also pointed out under 08.86.204, unlike other professions, this section does not state that the Board may in fact deny licensure for any offense for which they could discipline. The Board can discipline a license holder. That general language appears in other professions, but does not appear in AS 08.86.

If the Board intends to adopt a regulation requiring criminal background checks as part of the application process, the Board needs to be able to point to the statutory authority for that requirement. The licensing requirements are set by statute. Ms. Horetski stated if the Board wishes to move forward on this matter, the Board would need to determine what dishonorable conduct relating to the practice of counseling would be.

Ms. Horetski also stated that there are two kinds of criminal background checks, State and Federal. Under the State in Title 12, 12.62.160(a) (6), state criminal history checks "may be provided to a government agency when necessary for enforcement of or for a purpose specifically authorized by state or federal law", or, (a) (10) "may be provided to the person who is the subject of the information". The Board can require by regulation that the applicant request a criminal history background check and pay the fee with the Division of Public Safety (DPS). The applicant can either enclose it with the application to the Board or have DPS submit it.

The Federal law regarding criminal background checks was discussed. The Board will need statute amendment to conduct national criminal background checks.

Ms. Horetski stated that 13 AAC 60.005-905 is the administrative code regulation.

Break at 11:46 a.m.; back on record at 12:13 p.m.

The Board called Dale Whitney via teleconference to discuss OAH No. 07-0369-PSY.

**Upon a motion by Ms. Turner, seconded by Dr. DeRuyter and approved unanimously, it was:**

**MOVED to enter into executive session to discuss OAH No. 07-0369-PSY in the matter of Dr. Wendy Arundale.**

Executive session at 12:13 p.m.; back on record at 12:47 p.m.

Break at 12:47 p.m.; back on record at 1:02 p.m.

## **Agenda Item 15 – Administrative Issues**

### Budget Report

The Board reviewed the Expenditure and Revenue Report. The Board requested a definition of “indirect” and “direct”. Mrs. Mays will email the definition to the Board.

### Sign Wall Certificate

No wall certificates to sign.

### Schedule Next Meeting

The Board requested two full days for future meetings.

The Board proposes changing the June meeting to May 29-30 in Juneau.

The following are meeting dates for 2008 and one in 2009:

April 17, 2008 Teleconference  
May 29-30, 2008 in Juneau  
September 11-12, 2008 in Fairbanks  
December 4-5, 2008 in Anchorage  
March 26-27, 2009 in Anchorage

### Task Lists

#### Jan Mays

- Email exam questions 1, 5, and 25 to Ms. Turner.
- Update expert witness list, email to Board and Ms. Winton.
- Email the Board the definitions of “indirect” and “direct”.

#### Dr. DeRuyter

- Create a new question regarding receiving gifts.

#### Ms. Turner

- Revise exam questions 1, 5, and 25.

#### Dr. Bradbury

- Create new essay question.
- Create a standard expert witness letter.

Ms. Winton was presented information on Steven Fey’s CEU denial. Ms. Winton stated that she will handle the CEU denial. Ms. Winton also requested that the Board review Dr. Fey’s CEU’s and indicate which courses are acceptable.

**Agenda Item 16 – Ethics Training**

Judy Bockman, Ethics Attorney, Department of Law was present to provide the new ethics training.

Break at 2:29 p.m.; back on record at 2:36 p.m.

**Upon a motion by Dr. DeRuyter, seconded by Ms. Turner and approved unanimously, it was:**

**MOVED to enter into executive session to discuss Dr. Steven Fey's renewal application this was referred to investigation, Complaint No. C2900-08-001.**

Executive session at 2:37 p.m.; back on record at 3:14 p.m.

**Upon a motion by Ms. Turner, seconded by Dr. DeRuyter and approved unanimously, it was:**

**MOVED that in the matter of Dr. Steven Fey's CEU Audit, upon further examination of the CEU's claimed, Dr. Fey did not have a sufficient number of CEU hours obtained during the 2005-2007 licensing period. This has been referred to investigation.**

Dr. Bradbury requested that draft denial letters be sent to him for review. The Board would like to schedule a teleconference meeting to discuss OAH No. 07-036-PSY, Notice of Proposed Decision on Dr. Wendy Arundale on April 17, 2007.

**Upon a motion by Dr. DeRuyter, seconded by Ms. Turner and approved unanimously, it was:**

**MOVED to adjourn the meeting.**

There being no further business, the meeting adjourned at 3:23 p.m.

Respectfully Submitted:

\_\_\_\_\_  
Jan Mays  
Licensing Examiner

Approved:

\_\_\_\_\_  
Dr. Lorin Bradbury, Ph.D, Chair

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