Virginia Board of Psychology
Quarterly Board Meeting
Draft Minutes
September 30, 2016

CALL TO ORDER:

The Virginia Board of Psychology "Board" meeting convened at 10:00 a.m. on September 30, 2016, Board Room 1, at the Department of Health Professions (DHP) at 9960 Mayland Drive, Richmond, Virginia. Dr. Herbert Stewart, Chair, called the meeting to order.

BOARD MEMBERS PRESENT:

Herbert Stewart, Ph.D. Chair
James Werth, Ph.D., ABPP
Susan Brown Wallace, Ph.D.
Peter L. Sheras, Ph.D., ABPP
J.D. Ball, Ph.D., ABPP
Jen Little, Citizen Member

BOARD MEMBERS ABSENT:

Rebecca Vauter, Ph.D., ABPP
Deja Lee, Citizen Member

STAFF PRESENT:

Jaime Hoyle, Executive Director
Elaine Yeatts, DHP Senior Policy Analyst
Christy Evans, Discipline Specialist
Deborah Harris, Licensing Manager
Dr. David Brown, DC, DHP Director

BOARD COUNSEL:

James Rutkowski, Assistant Attorney General

WELCOME AND INTRODUCTIONS:

Dr. Stewart read the mission statement of the Department of Health Professions, which was also the mission statement of the Board, and announced the Emergency Egress Procedures. Dr. Stewart welcomed the new Board members: Dr. Ball, Ms. Little, Dr. Sheras, and Dr. Vauter,

who was unable to attend the first meeting. Dr. Stewart also took the opportunity to thank Dr. William Hathaway, former Board member, who was in attendance as a member of the public.

ADOPTION OF AGENDA:

The agenda was accepted as presented.

APPROVAL OF MINUTES:

The minutes of November 10, 2015 Board Meeting and February 23, 2016 Regulatory Meeting were approved with minor changes.

PUBLIC COMMENT:

Jennifer Morgan, Psy.D, Virginia Psychological Association (VPA)/Virginia Academy of Clinical Psychology (VACP) liaison, updated the Board about the VACP Conversation Hour, which will be held on Saturday, November 5th, 2016 at 9:00 a.m. at the Hilton Hotel in Short Pump. Dr. Morgan noted the Conversation Hour has been added to the Fall meeting schedule because it has been well received by the members. She encouraged Board members and staff to attend and participate.

William Hathaway, former Board Member and Regulatory Committee Chair, was present at the meeting and discussed some previous business regarding his draft document on assessments.

AGENCY DIRCTOR'S REPORT:

Dr. Brown welcomed the new Board members and invited them to attend the training for New and Current Board members on October 24th, 2016 at the Perimeter Center. Of particular interest will be a Freedom of Information Act ("FOIA") presentation given by Maria Everett of the FOIA Council and a review of disciplinary actions presented by Erin Barrett from the Office of the Attorney General. Additionally, Board members will learn more detailed information regarding three programs offered through DHP: the Prescription Monitoring Program, the Health Practitioner's Monitoring Program, and the Healthcare Workforce Data Program. Dr. Brown also noted that the Behavioral Science Boards are piloting the use of laptops in Board meetings and hearings, in an effort to become more cost-effective and efficient.

STAFF REPORTS:

Executive Director's Report

Jaime Hoyle, Executive Director for the Boards of Counseling, Psychology, and Social Work welcomed the new members to the Board. Ms. Hoyle stated that the Boards and staff are constantly attempting to streamline processes, applications, and forms. She reiterated that using laptops is an example of such efforts, and it seemed to be working well. The laptops also are consistent with efforts to "go green" and scan all licensure and discipline documents instead of providing paper copies. Moving in this direction has aided in the discipline review process because Board members can receive and review cases for probable cause electronically. However, as a result of prior staffing issues, there remains a backlog of discipline cases. Ms. Hoyle encouraged each of the Board Members to review cases in order to eliminate the backlog.

Deputy Executive Director's Report

Christy Evans, Discipline Specialist, reported the discipline report on behalf of Jennifer Lang, Deputy Director. The Board of Psychology currently has three cases at the Informal Conference (IFC) level, and two will be heard on December 5th. The Board also has 20 cases in investigation, and 52 cases in probable cause status. Please contact Jenn or Christy to volunteer to review cases.

Licensing Manager's Report

Deborah Harris, Licensing Manager, welcomed new Board members and asked them to please contact her with questions. She is more than happy to assist them transition into their new roles. The next Board meeting will be held on November 1, 2016. The dates for the upcoming 2017 meetings are in the Agenda packets.

The following licenses were issued in the last quarter:

- 57 Clinical Psychologists
- 6 Residents in training
- 34 School Psychologists Limited
- 4 Sex Offender Treatment Providers

Board Counsel's Report

Jim Rutkowski, Board Counsel, reported that that at the previous Board meeting he was asked to give some clarification on statute §54.1-3601. Exemption from requirements of licensure. Mr. Rutkowski explained and clarified that licensed persons who come from another state can

evaluate and assess a person for the purpose of testifying without being licensed in the state of Virginia.

COMMITTEE REPORTS:

Board of Health Professions Report

Dr. Stewart stated he did not attend the Board of Health Professions (BHP) meeting so he does not have a report. He has applied to the Secretary of the Commonwealth to be appointed to the Board, and hopes to attend the November meeting regardless of whether he is an official member.

Regulatory Committee Report:

Dr. Stewart reported he has been working closely with the Association of State and Provincial Psychology Boards (ASPPB), and has been appointed to their Workforce Data Taskforce. He also stated Dr. Werth agreed to be Chair of Regulatory Committee and asked the new Board members to consider being on the committee. He stated that some of the topics identified for upcoming Regulatory meetings are the Psychology Interjurisdictional Compact (PSYPACT) and reviewing the standards of practice in the regulations.

Dr. Werth stated that he had asked Dr. Wallace and Dr. Ball to review Dr. Hathaway's draft document regarding assessments. Dr. Werth also stated that Ms. Little had agreed to work on the issue of social media and help develop a related guidance document.

UNFINISHED BUSINESS:

Dr. Werth stated that once Dr. Wallace and Dr. Ball had reviewed and agreed upon the draft Guidance Document on Assessments, they would present it at the next Board meeting and then circulate the document to the Board of Counseling and the Board of Social Work for their input.

Ms. Hoyle reported on the DMAS workgroup status and stated that the workgroup never materialized because DMAS had been actively engaged in the Substance Use Disorder Workgroup. Dr. Brown and Ms. Hahn had been involved in this workgroup and Ms. Hoyle was brought in when it was determined that "peers" would need to be supervised by a licensed provider in order for the DMAS to reimburse for the service. As a result of these meetings, the DHP will be submitting legislation that was agreed upon by DMAS and the Department of Behavioral Health and Developmental Services (DBHDS) to require peer recovery specialists to register with the Board of Counseling. Additionally, the legislation would require Qualified Mental Health Professionals (QMHPs) to register with the Board of Counseling. These

developments addressed some many of the Board's concerns regarding the activities of unlicensed and unregulated individuals providing mental health services.

NEW BUSINESS:

Regulatory/Legislative Report

- Petition for Rulemaking:

  Ms. Yeatts presented Dr. John Wieriman's Petition for Rulemaking that "pre" and "post" testing by practitioners be mandated by the Board of Psychology regulations. The Board discussed the public comments and the issues detailed. After a proper motion and a second, the Board voted unanimously not to initiate rulemaking in response to the Petition.

- Board Action on Public Participation Guidelines:

  After a proper motion and a second, the Board voted unanimously to conform the public participation guidelines (18VAC125-11-50) to the Code of Virginia, relating to the right of an interested person to be accompanied by and represented by counsel or other representative to a board considering adoption of a regulation.

- Board Action on Continuing Education Requirements:

  Recently passed legislation requires the health regulatory boards to allow volunteer hours to count toward a portion of each board's Continuing Education (CE) requirements. After a proper motion and a second, the Board unanimously voted to allow up to two CE hours to be satisfied through the volunteer delivery of psychological services. Three hours of volunteer service will amount to one hour of CE.

- Notice of Periodic Review:

  After a proper motion and a second, the Board voted unanimously to approve the Notice of Periodic Review.

Guidance Document 125-5.2: Behavioral Science Boards' Sanctioning Reference Point Instruction Manual

After a proper motion and a second, the guidance document 125-5.2 - Behavioral Sciences Board's Sanctioning Reference Point instruction manual - was approved unanimously.

Adding Continuing Education Provider for Certified Sex Offender Treatment Provider

The Board deferred the discussion of adding a continuing education provider for Sex Offender Treatment Providers to the next Board meeting.

Meeting Dates

The 2017 Board meeting dates will be as following:

Regulatory	**Board**
Jan. 23	Jan. 24
May 15	May 16
Aug 14	Aug 15
Oct 30	Oct 31

CLOSED SESSION:

With a motion and vote, the Board went into closed session for consideration of consent orders. After discussion with a motion and vote, the Board went back into Open session.

With a motion and a unanimous vote, the Board voted to accept the consent order for Dr. William Carter.

ADJOURNMENT:

The meeting of the Board of Psychology adjourned at 2:15 p.m.

10/1/16

Herbert Stewart, Ph.D. Date

11/4/16

Jaime Hoyle Date