Virginia Board of Psychology
Quarterly Board Meeting
Minutes
February 3, 2015

Call to Order

Virginia Van de Water, Ed. D., Chair, called the meeting to order at 10:13 a.m. on February 3, 2015, Board Room Two, at the Department of Health Professions (DHP) at 9960 Mayland Drive, Richmond, Virginia.

Ordering of Agenda

Catherine Chappell, Executive Director, requested that the agenda be amended to include an applicant's request for a waiver of supervision requirements, which would be considered under Closed Session at the end of New Business. The agenda was accepted as amended.

Attendance

Board Members Present
Virginia Van de Water, Ed.D. Chair
William Hathaway, Ph.D.
Giordana de Altin Popiolek, Psy.D
Thomas Ryan, Ph.D.
Russell Leonard, Ph.D.
Herbert Stewart, Ph.D.
James Werth, Ph.D. ABPP
Barbara Peery, Ph.D., Citizen Member

Board Members Absent:
Ali Ahmad, Citizen Member

Staff Present:
Elizabeth Carter, PhD, Executive Director – Virginia Healthcare Workforce Data Center
Catherine Chappell, MHRM, Executive Director
Justin Crow, Deputy Executive Director – Virginia Healthcare Workforce Data Center
Deborah Harris, Licensing Manager
Jaime Hoyle, DHP Chief Deputy Director
Jennifer Lang, Deputy Executive Director
Jim Rutkowski, Assistant Attorney General, Board Counsel
Elaine Yeatts, DHP Senior Policy Analyst

Approval of Minutes

The minutes of the November 4, 2014 minutes were approved as written.

Public Comment

Jennifer Morgan, Psy.D., VPA/VACP liaison, announced that the Conversation Hour at the Virginia Academy for Clinical Psychology (VACP) Spring meeting was scheduled for April 17, 2015 from 4 to 5 pm in Virginia Beach. She indicated that she would follow up with board staff in March 2015 with respect to anticipated attendance of board members that day.

Chief Director's Report

Jaime Hoyle reported on behalf of Dr. David Brown and Elaine Yeatts who were at the General Assembly that day but who planned to attend the meeting as they were able. She highlighted Dr. Brown's participation on the Governor's task force committee for prescription drug abuse and indicated legislation was anticipated in response to the task force committee's findings.

Ms. Hoyle offered an update from the 2015 General Assembly session, noting that there were approximately 88 bills being followed by DHP. She commented that the session was unusually busy for DHP, as it had proposed 14 bills itself, and 13 had moved forward.

She also commented that the Board of Psychology was directly impacted by proposed legislation which related to the carryover of a portion of continuing education hours from one renewal cycle to another. Ms. Yeatts confirmed this information when she joined the board later in the meeting.

Executive Director's Report

Ms. Chappell thanked the board members for their attendance at the meeting and welcomed Dr. James Werth, who had joined the board in November. A plaque would be sent to Dr. Edward Peck, who had not been reappointed, which would honor him for his service.

In light of Dr. Peck's departure from the Board, the vice-chairman seat was vacant. She announced that a special election would be held at the end of the meeting for this leadership position, which would be effective through June 30, 2015.

Ms. Chappell welcomed new Deputy Executive Director Jennifer Lang, and advised that Ms. Lang had received a competitive promotion, having previously served as the Licensing Manager for the Board of Counseling. The scope of the deputy executive director's work had been amended to allow focus on licensure and policy in addition to disciplinary matters.

Ms. Chappell expressed her appreciation to Deborah Harris, Licensing Manager, for her

leadership in organizing the meeting. She noted that in addition to managing the day to day licensure duties that she had graciously taken on additional responsibilities as the Behavioral Science Unit's Compliance Case Manager in the transition of duties to Ms. Lang.

The financial report as of November 30, 2014 was presented. Ms. Chappell commented that the format of the report appeared differently than previous reports due to changes in accounting software at DHP. Sufficient cash existed in order for the Board to conduct day to day operations until the next renewal cycle.

Deputy Executive Director's Report

Jennifer Lang introduced herself and reported that the Board had 30 cases in the investigation stage and 38 were at board level awaiting probable cause review. 8 compliance cases continue to be monitored by Ms. Harris. The 2014 CE audit was performed and consisted of 25 licensees, all of whom were found to be in compliance.

Licensing Update

Deborah Harris reported on recent licensing activity, noting that the Board had approved the following number of licensees and certificate holders since the November 2014 meeting:

- Applied Psychologist 1
- Clinical Psychologist 57
- School Psychologist 4
- School Psychologist Ltd. 25
- CSOTP 12

Board Counsel Report

Mr. Rutkowski provided an update on the appeal of Hope Bagley in Henrico County Circuit Court. He stated that the judge agreed with the board's decision that Dr. Bagley participate in the Health Practitioner's Monitoring Program. However, the court did not support the finding that there was a patient confidentiality breach and overruled on the board's requirement that she complete continuing education in this regard.

Committee Reports

Board of Health Professions. Dr. Van de Water announced that she had been elected Chair of the Board of Health Professions, and would continue to serve in leadership roles on both the Board of Psychology and the Board of Health Professions. She commented

that she looked forwarded to the report by the Healthcare Workforce Data Center, and was aware of gaps in the various healthcare workforces in specific regions of the State.

Regulatory Report. Dr. Herb Stewart announced that he would be scheduling a Regulatory Committee meeting in the next couple of months in order to focus on competency concerns in providing psychological evaluations and ongoing distance therapy concerns. He encouraged the new board member or any other board member not currently on the committee to participate. Dr. Peery expressed her interest in serving on the committee.

Ms. Chappell commented that she had received interest from a member of the Board of Social Work in participating in discussion on the concerns about competencies in providing psychological evaluations. Additionally, she commented that staff continued to receive inquiries from out of state practitioners desiring to provide services to clients in Virginia using telecommunication as well as Virginia licensees wanting to provide services to clients in other jurisdictions remotely. The consistent response provided to these inquiries remains that in order to provide clinical services to a Virginia client, the law requires that the clinician hold a Virginia license.

New Business

Presentation – Workforce Survey 2014 Results - Elizabeth Carter and Justin Crow
Dr. Carter presented the 2014 survey results for the Board's consideration. She commented that a workforce initiative in Virginia began in 2008 under Governor Kaine. The workforce survey is deployed at each renewal cycle in order to capture data on the supply of psychologists in the State's workforce. She commented that 1 in every 5 jobs in Virginia is in healthcare and that healthcare is the leading employing industry in Virginia.

Mr. Crow provided an overview of the tools available through the Workforce Data Center, which included interactive screens which highlighted the 8 regions and incorporated data from the Bureau of Labor Statistics. The Board agreed that the tools were an excellent resource for students contemplating careers in healthcare.

Curriculum Gaps – Ms. Chappell commented that regulations allow applicants from non-APA programs to seek licensure, if such education and training prepares them to practice clinical psychology. However, a trend had been noted with respect to applicants who did not complete an APA approved program who are often deficient in core coursework. She commented that reviewers have historically required such applicants to obtain the deficient coursework prior to initiating post-graduate residency. She commented that applicants express difficulty in obtaining the necessary coursework outside of their graduate programs, in order to meet regulatory requirements. Dr. Hathaway agreed with this assessment and noted that this was a national concern. The Board agreed to refer the matter to the Regulatory Committee for possible development of a guidance document.

ASPPB Representation – Ms. Chappell advised that there was opportunity to represent the Board at the ASPPB meetings in April 2015 and October 2015. Dr. Stewart expressed interest in attending in April and Dr. Ryan requested attendance at the October meeting. Dr. Hathaway commented that he also planned to attend these meetings as he participated in ASPPB committees. Ms. Chappell indicated that she would seek approval for their travel as soon as possible.

Election for Vice-Chair - Dr. Van de Water requested nominations for Vice-Chair. Dr. Stewart expressed his interest in serving. Dr. Ryan moved to accept the nomination and was duly seconded. The motion carried.

Closed Session

Dr. Barbara Peery moved that the Board of Psychology convene in closed session pursuant to §2.2-3711(A)(27) and 2.2-3711(A)(7) of the Code of Virginia in order to consider a request to waive the supervision requirements for an applicant for school psychology licensure. She further moved that Catherine Chappell, Jennifer Lang, James Rutkowski, and Deborah Harris attend the closed meeting because their presence in the meeting was deemed necessary and would aid the Board in its consideration of the matter. The motion was seconded and carried.

Reconvene

Dr. Peery moved that pursuant to §2.2-3712 of the Code of Virginia that the Board of Psychology heard, discussed, or considered only those public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as identified in the original motion. The motion was seconded and carried with a unanimous vote.

Decision

Wesley Shelley, MA, School Psychologist Applicant
Upon a motion by Dr. Leonard and duly seconded by Dr. Peery, the Board denied Mr. Shelley's request for a waiver of the supervision requirements of Regulation 18VAC125-20-65.B.5. The motion carried unanimously.

Adjournment

The Board meeting was adjourned at 12:15 p.m.

Virginia Van de Water, Ed.D.
Virginia Van de Water, Chair

Jamie D. Hayes for
Catherine Chappell, Executive Director