

# TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS



EXECUTIVE DIRECTOR  
Darrel D. Spinks

## MEMBERS OF THE BOARD

Tim F. Branaman, Ph.D., Chair  
Dallas

Lou Ann Todd Mock, Ph.D., Vice Chair  
Bellaire

Susan Fletcher, Ph.D.  
Plano

Andoni Zagouris, M.A.  
Kingsland

Herman B. Adler, M.A.  
Houston

John K. Bielamowicz  
Waxahachie

Angela A. Downes, J.D.  
Dallas

Ryan T. Bridges  
Houston

Ronald S. Palomares, Ph.D.  
Denton

## BOARD MEETING AGENDA

February 14, 2019

333 Guadalupe, Suite 2-400A  
Austin, Texas 78701

Pursuant to Tex. Gov't Code Ann. §551.127, notice is hereby given that one or more Board members may appear at the scheduled meeting via videoconference, but the Board Chair and a quorum will be physically present in the scheduled location.

Please note that the Board may request input during the meeting from any interested parties or members of the public during its discussion of an agenda item.

Thursday, February 14<sup>th</sup>, 9:00 a.m.

- I. Meeting Called to Order - Tim F. Branaman, Ph.D., Chair
- II. Public Comments
- III. Minutes and Certified Agenda\*
- IV. Chair's Report - Dr. Branaman
  - A. ASPPB Update
    1. Decision Concerning Attendance at Annual Meeting (October 16th-20th) in Minneapolis, MN\*
    2. Update from Executive Director Regarding Practice Termination Taskforce
  - B. Update on 2018-2019 Sunset Review
  - C. Update Regarding the Records Disposition Advisory Committee; Discussion Concerning What Steps Should Be Taken Next; Review Materials from State Bar Law Practice Management Program\*
  - D. Update Regarding the School Psychology Rule Review Advisory Committee\*
  - E. Board Committee Assignments\*

**\*Topic requiring either agency action or discussion.**

333 Guadalupe, Suite 2-450, Austin, Texas 78701  
(Administration) 512-305-7700 (Enforcement) 512-305-7709 (TDD) 1-800-735-2989  
(Fax) 512-305-7701 <http://www.tsbep.texas.gov>

The Texas State Board of Examiners of Psychologists is an equal opportunity employer and does not discriminate on the basis of race, color, religion, national origin, age, sex, disability, or sexual orientation.

- F. Election of Vice-Chair\*
- G. Article Authored by TSBEP Chair and Published in the National Psychologist
- H. Letter from Cheryl Hall, Ph.D., President, Texas Psychological Association, dated November 8, 2018
- I. Letter from Paul Andrews, Ph.D., dated November 23, 2018
- J. Report from Board Members Who Attended the Governor's December 18, 2018 Appointees Training Seminar at the State Capitol
- K. Request by Texas Board of Nursing for OAG Opinion (RQ-0263-KP) Regarding Effects of Orders of Non-disclosure on Agency disciplinary actions
- L. Agency Written Testimony for February 4, 2019 Senate Finance Committee Hearing
- M. TSBEP Legislative Workforce Summary for FY2018

**V. Executive Director's Report - Mr. Spinks**

- A. Operations Update
  - 1. Update on Fingerprint Criminal History Background Check Program, per Board Rule 463.7
- B. Budget Update
  - 1. Q1 Performance Measures for FY2019
  - 2. Year-to-Date Financial Report
- C. Proposed Newsletter Articles\*
- D. Policies\*
- E. Board Opinion Letters\*
- F. Significant Bills Introduced in the 86<sup>th</sup> Legislature

**VI. Rules - Drs. Branaman and Palomares**

- A. Rules for Proposal\*
  - 1. 461.7, License Statuses
  - 2. 463.11, Licensed Psychologists
  - 3. 463.22, Reinstatement of a License
  - 4. 465.6, Public Statements, Advertisements, and Specialty Titles
  - 5. 465.22, Psychological Records, Test Data and Test Materials
  - 6. 470.17, Motion for Rehearing
  - 7. 473.1, Application Fees
  - 8. 473.2, Examination Fees
  - 9. 473.4, Late Fees for Renewals
- B. Rules for Adoption\*

**\*Topic requiring either agency action or discussion.**

*Rules being considered for adoption may be adopted, withdrawn, or re-proposed with changes based upon comments received.*

1. 463.9, Licensed Specialist in School Psychology
2. 463.11, Licensed Psychologist
3. 465.22, Psychological Records, Test Data and Test Materials *(may be withdrawn; discussion by Executive Director)*

**VII. Enforcement Matters and Report from General Counsel**

Enforcement Staff:

- A. Review of Dismissals by Executive Director
- B. Review of Resignations Approved by Executive Director
- C. Review of Dismissals Recommended for Board Ratification\*
- D. Status Reports
- E. Changes to Projected Time Schedules
- F. Upcoming ISC Panels\*

General Counsel:

- G. Agreed Order Ratifications\*
- H. Review and Disposition of Motion for Rehearing in Complaint No. 2017-00049-2375, Brian E. Pope, Ph.D.\*

**VIII. Compliance - Dr. Mock and Mr. Adler**

- A. Review of Compliance with Agreed Orders

**IX. Jurisprudence Examination Committee - Dr. Fletcher and Ms. Downes**

- A. Update Regarding Psychometric Analysis of Exam Statistics and Validation of the Exam

**X. Applications Committee - Dr. Palomares and Mr. Zagouris**

- A. Application for LPA Licensure from Aisha Iqbal, M.A.\*
- B. Application for LSSP Licensure from Kathleen M. Darrah, M.Ed.\*

**XI. Personnel Committee - Mr. Bridges**

- A. Personnel Changes Within the Agency
- B. Discussion and Approval of Survey Utilized to Gather Staff Input in Connection with Annual Evaluations of the Executive Director\*

**\*Topic requiring either agency action or discussion.**

**XII. Future Issues and Other Requested Agenda Items**

- A. Requests from Board Members for Future Agenda Items
- B. Discussion Concerning Whether Rulemaking Proceedings Should be Initiated to Modify Enforcement Process for Complaints Arising out of Child Custody Evaluations\*  
*(discussion to be led by Dr. Fletcher)*
- C. Discussion Concerning the Makeup and Focus of Current Standing Committees, and Whether Any Changes Should be Made to those Committees *(discussion to be led by Dr. Branaman)*

**XIII. Executive Session**

- A. To seek legal advice pursuant to Tex. Gov't Code Ann. §551.071 on legal issues raised during the meeting, including:
  - 1. Cause No. D-1-GN-17-003671, TPA v. TSBEP, 98<sup>th</sup> District Court, Travis County, Texas
- B. To seek legal advice pursuant to Tex. Gov't Code Ann. §551.071, and to review evidence or information in connection with a recommendation for temporary suspension of a licensee pursuant to Tex. Occ. Code Ann. §501.402 and 22 Tex. Admin. Code, Pt. 21, §469.6.
- D. To deliberate and discuss the evaluation of the Executive Director pursuant to Tex. Gov't Code Ann. §551.074.

**XIV. Action on matters considered in executive session, if necessary.**

**XV. Meeting Adjourned**

**\*Topic requiring either agency action or discussion.**