

TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS



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Ronald S. Palomares, Ph.D.
Denton

BOARD MEETING AGENDA

November 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.

If you are planning to attend this meeting and need auxiliary aids, services or materials in an alternate format, please contact the Board at least 5 working days before the meeting date. Phone: (512) 305-7700, FAX: (512) 305-7701, E-MAIL: Deputy.ED@tsbep.texas.gov, TTY/RELAY TEXAS: 711 or 1-800-RELAY TX.

The Board may go into Executive Session to deliberate any item listed on this agenda if authorized under Texas Open Meetings Act, Government Code, Ch. 551.

The Board may discuss and take action concerning any matter on the agenda and in a different order from what it appears herein.

Thursday, November 14th, 9:00 a.m.

- I. Meeting Called to Order - Tim F. Branaman, Ph.D., Chair
- II. Public Comments - Public comment is limited to three (3) minutes per individual, unless otherwise directed by the Board Chair.
- III. Minutes and Certified Agenda*
- IV. Chair's Report - Dr. Branaman
 - A. ASPPB Update

***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.

1. Report Following Agency Attendance at Annual Meeting (October 17th-20th) in Minneapolis, MN
 2. Selection of Attendees for Mid-year (April 23-26, 2020) and Annual (October 14-18, 2020) Meetings
 3. Report from Vice-chair following the EPPP Part 2 examination
 4. Presentation by ASPPB on Development of Enhanced EPPP, and Discussion Regarding Possible Adoption of the Enhanced EPPP (i.e., EPPP Part 1 (Foundational Knowledge) + EPPP Part 2 (Skills))*
- B. Update Regarding PSYPACT
 - C. Update on Texas Behavioral Health Executive Council Operations
 - D. Discussion Concerning Recommended Investigation Process for Complaints Arising out of Court-ordered Evaluations, e.g. child custody evaluations
 - E. Letter from Governor Abbott regarding rule review process, dated August 27, 2019
 - F. Discussion regarding allowing licensees to bank or carry forward professional development hours not needed for their current renewal period
 - G. Discussion concerning the number of required professional development hours for ethics and cultural diversity
 - H. Texas Safety Action Report, Governor Greg Abbott, September 12, 2019
 - I. Discussion concerning whether the agency has the authority to create a specialty designation for applied behavior analysis, and if so, whether the agency should create such a specialization*
 - J. Letter from Gov. Abbott regarding review of existing licensing regulations, dated October 8, 2019; Discussion regarding TSBEP response to Governor's letter*

V. Executive Director's Report - Mr. Spinks

- A. Operations Update
- B. Budget Update
 1. Q4 and Annual Performance Measures for FY2019
 2. Year-to-Date Financial Report
- C. Proposed Newsletter Articles*
- D. Policies*
- E. Board Opinion Letters*

VI. Rules - Drs. Branaman and Palomares

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

- A. Rules Recommended to Executive Council for Proposal*
 - 1. 463.10, Provisionally Licensed Psychologists
 - 2. 463.11, Licensed Psychologists
 - 3. 463.13, Criteria for Substantial Equivalency of Degree Programs
 - 4. 465.9, Competency
- B. The following rules have been previously recommended for proposal to the Executive Council and are awaiting review and determination by the Executive Council and Office of the Governor:
 - 1. 471.4, Nonrenewal for Default of Guaranteed Student Loan
 - 2. 471.5, Updated Information Requirements
- C. Rules Recommended to Executive Council for Adoption*

VII. Enforcement Matters and Report from General Counsel

Enforcement Staff:

- A. Review of Dismissals by Executive Director
- B. Review of Dismissals Recommended for Board Ratification*
- C. Status Reports
- D. Changes to Projected Time Schedules
- E. Upcoming ISC Panels*
- F. Review of FY2019 Cumulative Complaint Statistics

General Counsel:

- G. Agreed Order Ratifications*
- H. Review of Resignations Approved by Executive Director
- I. Review of PFD and Disposition of Complaint No. 2018-00066-13961, J.L.T., M.S.*

Temporary Suspensions:

The agency may conduct a closed meeting to seek legal advice from its attorney(s) 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.

VIII. Compliance - Dr. Mock and Mr. Adler

- A. Review of Compliance with Agreed Orders

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

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

- A. Update following August 28th Jurisprudence Examination Committee meeting (*discussion to be led by Ms. Downes and Mr. Creath*)

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

- A. Request from Dr. Mari Overlock to appear before the Board and discuss her recent denial of licensure
- B. Review of PFD and Disposition of Application for LPA Licensure from Brenda O. Obe, M.S.*
- C. Discussion regarding the acceptability of internships which are completed while enrolled in a doctoral degree program, but which are not actually part of the degree program, i.e. no course credit is awarded to the student upon completion of the internship. (*discussion to be led by Mr. Hyde*)

XI. Personnel Committee - Mr. Bridges

- A. Discussion regarding approval of interagency agreement and authorization for Executive Director to serve as Interim Director for the Texas Behavioral Health Executive Council; Discussion regarding additional compensation to be paid to Executive Director for serving as Interim Director for BHEC*
- B. Ratification of MOUs with BHEC for Accounting/Purchasing Services and General Counsel Services*

XII. Future Issues and Other Requested Agenda Items

- A. Requests from Board Members for Future Agenda Items
- B. Discussion regarding Board rule 465.22 (*discussion to be led by Dr. Fletcher*)
- C. Discussion regarding use of Robert's Rules of Order in TSBEF meetings (*discussion to be led by Mr. Bielamowicz*)
- D. Selection of FY2021 and FY2022 meeting dates*

XIII. Board and Council member training required by Sections 501.059 and 507.059 of the Occupations Code and Sections 4.002 and 4.004 of Tex. H.B. 1501, 86th Leg., R.S. (2019).

XIV. Meeting Adjourned

*Topic requiring either agency action or discussion.