

**Texas State Board of Examiners
Of Psychologists
MINUTES**

February 7, 2008

The Texas State Board of Examiners of Psychologists met in Austin, Texas on February 7, 2008. The following Board members were in attendance: Pauline A. Clansy, Ed.D., Chair; Carl E. Settles, Ph.D., Vice-Chair; Donna L. Black, M.A.; Arthur E. Hernandez, Ph.D.; Ruben Rendon, Jr., M.S.; Catherine B. Estrada, M.Ed. and Penny Angelo. Also in attendance were Sherry L. Lee, Executive Director and Dianne L. Izzo, General Counsel. Board member absent: Gary R. Elkins, Ph.D

Thursday, February 7, 2008

1. The meeting was called to order at 9:10 a.m. by Dr. Settles.
2. The Board moved into Item IV, Minutes.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. SETTLES TO APPROVE THE MINUTES OF THE AUGUST 2, 2007 AND NOVEMBER 1, 2007 BOARD MEETINGS. THE VOTE WAS UNANIMOUS.

3. The Board moved into Item V, Chair's Report.

A. Ms. Lee presented the Fiscal Year 2008 Board Goals to the Board.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MR. RENDON TO APPROVE THE FY 2008 BOARD GOALS.

- B. Ms. Lee reviewed some of FY 07 Board Goals that were in process:
 - i. complaints from FY 05;
 - ii. Oral Examination site making headway on another possible location; and
 - iii. File imaging will be discussed under the Executive Director's report.
- C. Ms. Lee stated that Roberta Nutt, Ph.D. has been named the Director of Professional Affairs for the Association of State and Provincial Psychology Boards (ASPPB).
- D. Ms. Lee discussed the Winter 2007 newsletter received from ASPPB.
- E. Ms. Lee reviewed an email received from Christy Davis regarding the participation in ASPPB Practice Analysis Study.
- F. Dr. Clansy stated that on behalf of the Board she would like to thank staff for the hard work and dedication to the agency. Dr. Clansy presented to staff members plaques for years of service:
 - i. 5 Years Service:
 - a. Cynthia Barber, Enforcement Manager
 - b. Carol Erickson, Administrative Assistant II
 - c. Brenda Skiff, Administrative Assistant III; and
 - d. Priscilla Tenorio, Administrative Assistant I
 - ii. 10 Years Service:
 - a. Brian Creath, Executive Assistant
 - b. David McCaig, Administrative Assistant II
 - c. Jennifer Noack, Fiscal Manager
 - d. Maricela Ramirez, Administrative Assistant IV; and

e. Jeanette Waldrop, Administrative Assistant/Investigator

iii. 25 Years Service was given to Sherry Lee, Executive Director.

4. The Board moved into Item VI, Executive Director's Report.
 - A. Ms. Lee introduced Ms. Tracy DeBont, part-time Investigator.
 - B. Ms. Lee updated the Board regarding the birth of Maricela Ramirez son.
 - C. Ms. Lee stated that the fingerprinting of applicants was working smoothly and there have not been any delays.
 - D. Ms. Lee discussed the Risk Assessment Review and stated that due to the theft of the laptop in 2006, the Comptroller's office had assessed a \$500 fee against the agency.
 - E. Ms. Lee updated the Board regarding SB 29, Minimum Data Set.
 - F. Ms. Lee reviewed with the Board the Business Process Review of Administrative Functions draft conducted by Tony Gilman from the Governor's office. Overall conclusions of this report were that the Health Professions Council should seek greater efficiencies through its committees.
 - G. Ms. Lee discussed the Customer Service Assessment Surveys. All areas of customer satisfaction have gone up, except for complaints and respondents.
 - H. Ms. Lee reviewed a letter from Texas Department of Criminal Justice SB44, regarding family violence offender training for court ordered providers.
 - I. Ms. Lee reviewed a letter received by the Governor's office reminding agencies that prompt response must be made to all public information requests.

- J. Ms. Lee discussed SB 141, the feasibility study regarding Joint Health Science Courses at a public or private institution of higher education.
- K. Ms. Lee gave an update on the imaging of licenses, agreed orders, Board meeting minutes and rule changes.
- L. Ms. Lee stated that the DIR statewide information technology contract has transitioned very smoothly from Northrup Grumman to IBM, however DIR knows something more has to be done for small agencies to maintain and service older systems or to replace them.
- M. Proposed Policies:

- i. Travel and Accommodations for Board Members and State Employees.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE PROPOSED CHANGES. THE VOTE WAS UNANIMOUS.

- ii. Grace Period for Inactive Status.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. ESTRADA TO APPROVE THE NEW POLICY. THE VOTE WAS UNANIMOUS.

- iii. Selection of Professionals to Assist Investigations and Enforcement.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. SETTLES TO APPROVE THE PROPOSED CHANGES. THE VOTE WAS UNANIMOUS.

- iv. Review of Oral Exam Vignettes.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY DR. SETTLES TO APPROVE THE PROPOSED CHANGES. THE VOTE WAS UNANIMOUS.

- N. The Board reviewed letters received from the following individuals:

- i. Deborah Cole, Ph.D. - regarding refund/waiver for late fee.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO APPROVE THE DRAFTED RESPONSE ONCE MEDICAL DOCUMENTATION IS RECEIVED. THE VOTE WAS UNANIMOUS.

- ii. William L. Edwards, Ph.D. - regarding supervised experience.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MR. RENDON TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

- iii. James Koretz, Ph.D. - regarding confidentiality and release of records.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY MS. BLACK TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

- iv. Daniel R. Martin, Ph.D. - regarding refund of profession fee.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. BLACK TO APPROVE THE DRAFTED RESPONSE WITH CHANGES. THE VOTE WAS UNANIMOUS.

- v. Thomas D. Ridley, M.A. - regarding waiver of late renewal fee.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

- vi. Karl A. Slaikeu, Ph.D. - regarding refund of late fee.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. BLACK TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

- vii. Renata Strok, M.A. - regarding refund of administrative penalty.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. SETTLES TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

viii. Kimberly F. Locke - regarding transfer of fee.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MR. RENDON TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

ix. Sharon W. Thayer, M.Ed. - regarding supervision of a bilingual LSSP.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE DRAFTED RESPONSE WITH CHANGES. THE VOTE WAS UNANIMOUS.

x. Lisa Kearney, Ph.D. - regarding experience in palliative care.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. SETTLES TO APPROVE THE DRAFTED RESPONSE. THE VOTE CARRIED WITH MS. ANGELO VOTING AGAINST THE MOTION AND MS. BLACK ABSTAINING FROM VOTING.

xi. Jan N. Hughes, Ph.D. - regarding clarification on internship program.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ESTRADA TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

xii. E. Scott Hamilton - regarding pre-evaluate an internship.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. SETTLES TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

Dr. Settles left at 10:13 a.m.

xiii. Don Gucker, Ph.D. - regarding EPPP examination.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY MS. BLACK TO APPROVE THE DRAFTED RESPONSE. THE VOTE CARRIED WITH DR. SETTLES ABSENT FROM THE VOTE.

Dr. Settles returned at 10:14 a.m.

xiv. Jennifer Gibbins Brock - regarding failure to get renewal card.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. BLACK TO APPROVE THE DRAFTED RESPONSE WITH CHANGES. THE VOTE WAS UNANIMOUS.

xv. Laurence C. Smith, Jr. - regarding CE education of self-publishing book.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MR. RENDON TO APPROVE THE DRAFTED RESPONSE WITH CHANGES. THE VOTE WAS UNANIMOUS

xvi. Barbara Modisette, Ed.D. - regarding refund of penalty fee.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. ESTRADA TO APPROVE THE DRAFTED RESPONSE WITH CHANGES. THE VOTE WAS UNANIMOUS

xvii. Jennifer Zapata - regarding advertising.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. SETTLES TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

xviii. Matthew F. Baysden - regarding Jurisprudence examination.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. SETTLES TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

xix. Michael J. Bridgewater, Ph.D. - regarding record retention.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY MS. BLACK TO APPROVE THE DRAFTED RESPONSE WITH CHANGES. THE VOTE CARRIED WITH DR. SETTLES AND MS. ESTRADA ABSTAINING FROM VOTING.

xx. Ann Marie Horvat - regarding refund of late fees.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. ANGELO TO APPROVE THE DRAFTED RESPONSE. THE VOTE WAS UNANIMOUS.

xxi. Kathy Stroud, Ph.D. - regarding use of title.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. ANGELO TO APPROVE THE DRAFTED RESPONSE. THE VOTE CARRIED WITH MR. RENDON ABSTAINING FROM VOTING.

The Board recessed for a break at 10:32 a.m.

The Board reconvened at 10:52 a.m.

O. Ms. Lee stated that the staff had gone to Logan's Roadhouse for their Christmas/New Year's luncheon. Thank you on behalf of the staff.

5. The Board into Item VII, Rules Committee.

A. The Board reviewed the Proposed Rules:

i. The Board reviewed the amendments to Board rule 461.1, References by Board Members.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MR. RENDON TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 461.1. THE VOTE WAS UNANIMOUS.

ii. The Board reviewed the amendments to Board rule 461.2, Unofficial Statements and/or Decisions.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MR. RENDON TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 461.2. THE VOTE WAS UNANIMOUS.

iii. The Board reviewed the amendments to Board rule 461.5, Contents of License.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 461.5. THE VOTE WAS UNANIMOUS.

- iv. The Board reviewed the amendments to Board rule 461.6, File Updates.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. HERNANDEZ TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 461.6. THE VOTE WAS UNANIMOUS.

- v. The Board reviewed the amendments to Board rule 461.7, License Statuses.

A MOTION WAS MADE BY MR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 461.7. THE VOTE WAS UNANIMOUS.

- vi. The Board reviewed the amendments to Board rule 461.13, Errors.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 461.13. THE VOTE WAS UNANIMOUS.

- vii. The Board reviewed the amendments to Board rule 463.6, Regionally Accredited Institutions.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.6. THE VOTE WAS UNANIMOUS.

- viii. The Board reviewed the amendments to Board rule 463.8, Licensed Psychological Associate.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. SETTLES TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.8. THE VOTE WAS UNANIMOUS.

- ix. The Board reviewed the amendments to Board rule 463.9, Licensed Specialist in School Psychology.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. SETTLES TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.9 WITH CHANGES. THE VOTE WAS UNANIMOUS.

- x. The Board reviewed the amendments to Board rule 463.10, Provisionally Licensed Psychologist.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.10. THE VOTE WAS UNANIMOUS.

- xi. The Board reviewed the amendments to Board rule 463.11, Licensed Psychologist.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.11. THE VOTE WAS UNANIMOUS.

- xii. The Board reviewed the amendments to Board rule 463.14, Written Examination.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. SETTLES TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.14. THE VOTE WAS UNANIMOUS.

- xiii. The Board reviewed the amendments to Board rule 463.15, Oral Examination.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY MR. RENDON TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.15. THE VOTE WAS UNANIMOUS.

- xiv. The Board reviewed the amendments to Board rule 463.18, Failing Written/Oral Examinations.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. ANGELO TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.18. THE VOTE WAS UNANIMOUS.

- xv. The Board reviewed the amendments to Board rule 463.21, Board Members as Reviewers of Examinations.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.21. THE VOTE WAS UNANIMOUS.

- xvi. The Board reviewed the amendments to Board rule 463.24, Oral Examination Work Group.

A MOTION WAS MADE BY MS. ANGELO AND SECONDE BY DR. HERNANDEZ TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.24. THE VOTE WAS UNANIMOUS.

xvii.The Board reviewed the amendments to Board rule 463.26, Health Service Provider in Psychology Specialty Certification.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY DR. HERNANDEZ TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.26. THE VOTE WAS UNANIMOUS.

xviii.The Board reviewed the amendments to Board rule 463.27, Temporary License for Persons Licensed in Other States.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY DR. SETTLES TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 463.27. THE VOTE WAS UNANIMOUS.

xix. The Board reviewed the amendments to Board rule 470.9, Witness Fees.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 470.9. THE VOTE WAS UNANIMOUS.

xx. The Board reviewed the amendments to Board rule 465.1, Definitions.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MR. ANGELO TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 465.1. THE VOTE WAS UNANIMOUS.

xxi. The Board reviewed the amendments to Board rule 465.16, Evaluation, Assessment, Testing, and Reports.

A MOTION WAS MADE BY MS. ESTRADA AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 465.16. THE VOTE WAS UNANIMOUS.

xxii.The Board reviewed the amendments to Board rule 465.18, Forensic Services.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 465.18. THE VOTE WAS UNANIMOUS.

xxiii. The Board reviewed the amendments to Board rule 465.37, Compliance with All Applicable Laws.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MR. RENDON TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 465.37. THE VOTE WAS UNANIMOUS.

xxiv. The Board reviewed the amendments to Board rule 465.3, Providers of Psychological Services.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. ANGELO TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 465.3 WITH CHANGES. THE VOTE WAS UNANIMOUS.

xxv. The Board reviewed the amendments to Board rule 465.22, Psychological Records, Test Data and Test Protocols.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 465.22. THE VOTE WAS UNANIMOUS.

xxvi. The Board reviewed the amendments to Board rule 469.7, Persons with Criminal Backgrounds.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. ANGELO TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE 469.7. THE VOTE WAS UNANIMOUS.

B. The Board reviewed the Adopted Rules:

i. The Board reviewed the amendments to Board rule 461.11, Continuing Education.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MR. RENDON TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

ii. The Board reviewed the amendments to Board rule 463.5, Application File Requirements.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. ANGELO TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

- iii. The Board reviewed the amendments to Board rule 465.32, Disposition and Assumption of the Practice of a Mental Health Professional.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY DR. SETTLES TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

- iv. The Board reviewed the amendments to Board rule 465.33, Improper Sexual Conduct.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. BLACK TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

- v. The Board reviewed the amendments to Board rule 465.35, Resolution of Allegations of Board Rule Violations.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. BLACK TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

- vi. The Board reviewed the amendments to Board rule 465.38, Psychological Services for Public Schools.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY DR. SETTLES TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

- vii. The Board reviewed the amendments to Board rule 469.7, Persons with Criminal Backgrounds.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY MS. BLACK TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

- viii. The Board reviewed the amendments to Board

rule 469.12, Suspension of Licensure for Failure to Pay Child Support.

A MOTION WAS MADE BY MS. ANGELO AND SECONDED BY MS. ESTRADA TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

- ix. The Board reviewed the amendments to Board rule 470.21, Disciplinary Guidelines.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

- x. The Board reviewed the amendments to Board rule 473.1, Application Fees (Not Refundable).

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

- xi. The Board reviewed the amendments to Board rule 473.3, Annual Renewal Fees (Not Refundable).

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO ADOPT THE RULE AS AMENDED. THE VOTE WAS UNANIMOUS.

6. The Board moved into Item VIII, Enforcement Committee.

A. Ms. Cynthia Barber, Enforcement Manager, presented October dismissals for Board ratification:

- i. 07-006;
- ii. 06-185;
- iii. 07-144;
- iv. 07-120;
- v. 07-147;
- vi. 07-140;

- vii. 07-139;
- viii.07-169;
- ix. 07-122
- x. 07-033;
- xi. 07-005;
- xii. 07-017;
- xiii.07-124;
- xiv. 06-111; and
- xv. 06-112

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MR. RENDON TO APPROVE THE DISMISSALS. THE VOTE WAS UNANIMOUS.

- xvi. 06-159; and
- xvii.06-161

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. BLACK TO APPROVE THE DISMISSALS. THE VOTE CARRIED WITH DR. SETTLES, MR. RENDON AND MS. ESTRADA ABSTAINING FROM VOTING.

- xviii.04-106; and
- xix. 05-165

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. BLACK TO APPROVE THE DISMISSALS. THE VOTE WAS UNANIMOUS.

B. Ms. Barber presented January dismissals for Board ratification.

- i. 07-067;
- ii. 07-068;

- iii. 07-223;
- iv. 07-095;
- v. 07-050;
- vi. 07-062;
- vii. 07-146;
- viii.07-121;
- ix. 07-208;
- x. 07-082;
- xi. 07-207;
- xii. 07-236;
- xiii.07-170;
- xiv. 07-209;
- xv. 07-089; and
- xvi. 07-090

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ESTRADA TO APPROVE THE DISMISSALS. THE VOTE WAS UNANIMOUS.

C. Ms. Barber presented the February dismissals for Board ratification.

- i. 07-049;
- ii. 07-148;
- iii. 07-063;
- iv. 07-193; and
- v. 07-077

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. ESTRADA TO APPROVE THE DISMISSALS. THE VOTE CARRIED

WITH DR. SETTLES, MS. BLACK AND MS. ANGELO ABSTAINING FROM VOTING.

- D. Ms. Barber reviewed the Status Report.
- E. Ms. Barber discussed the Projected Time Schedule.
- F. The April 2008 IFC attendees will be Dr. Clansy or Dr. Hernandez, Mr. Rendon and Ms. Estrada.
- G. The August 2008 IFC attendees will be Dr. Clansy, Ms. Black and Ms. Estrada.
- H. Ms. Lee discussed the Trends in Complaints chart.
- I. Ms. Lee reviewed the Comparison of Enforcement Statistics by Fiscal Year.
- J. Ms. Izzo presented the Agreed Orders for the Board's approval:
 - i. The Board reviewed Agreed Order No. 07-093-13943 in the matter of Raphael D. Thigpen, Psy.D.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. ANGELO TO APPROVE THE AGREED ORDER WITH CHANGES. THE VOTE WAS UNANIMOUS.

- ii. The Board reviewed Agreed Order No. 07-091-13983 in the matter of Tori M. Kelley, M.A.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

Ms. Estrada left at 11:45 a.m.

- iii. The Board reviewed Agreed Order No. 07-135-14039 in the matter of Laura E. Linggi, M.A.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MS. ESTRADA ABSENT FROM VOTING.

- iv. The Board reviewed Agreed Order No. 07-145-14184 in the matter of Bryan D. Padilla, M.A.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. BLACK TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MS. ESTRADA ABSENT FROM VOTING.

- v. The Board reviewed Agreed Order No. 07-152-14153 in the matter of Melissa K. Alayli, M.S.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. BLACK TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MS. ESTRADA ABSENT FROM VOTING.

- vi. The Board reviewed Agreed Order No. 07-044-11097 in the matter of Christopher L. Love, M.S.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY DR. HERNDNADEZ TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MS. ESTRADA ABSENT FROM VOTING.

Ms. Estrada returned at 11:56 a.m.

- vii. The Board reviewed Agreed Order No. 07-114-3285 in the matter of Howard M. Rhoades, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

- viii. The Board reviewed Agreed Order No. 07-15-7037 in the matter of Ray Holland Pate, M.A.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. HERNANDEZ TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

- ix. The Board reviewed Agreed Order No. 07-160-13084 in the matter of Kristen Lynn Pitstick, M.A.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED MS. ANGELO TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

- x. The Board reviewed Agreed Order No. 06-144-58 in the matter of Dorcas A. Carrington, M.A.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. BLACK TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

- xi. The Board reviewed Agreed Order No. 07-066-12266 in the matter of Pablo F. Allen, S. Psy.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. ESTRADA TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

- xii. The Board reviewed Agreed Order No. 07-070-4820 in the matter of Elizanda delaSota, Ph.D.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. SETTLES TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

- xiii. The Board reviewed Agreed Order No. 07-071-11475 in the matter of James W. Depetro, M.S.E.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. SETTLES TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

- xiv. The Board reviewed Agreed Order No. 07-072-576 in the matter of Susan Sperry Halseth, M.Ed.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. SETTLES TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

- xv. The Board reviewed Agreed Order No. 07-073-4137 in the matter of David Terry Hanks, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

xvi. The Board reviewed Agreed Order No. 07-076-9968 in the matter of Lynda Barclay Mathis, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. BLACK TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

xvii. The Board reviewed Agreed Order No. 07-078-12439 in the matter of Kenneth Troy Sanchez, M.A.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. SETTLES TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

xviii. The Board reviewed Agreed Order No. 07-079-1347 in the matter of Richard C. Smith, Jr., M.A.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

xix. The Board reviewed Agreed Order No. 07-080-1388 in the matter of Robert J. Steronko, M.S.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

xx. The Board reviewed Agreed Order Nos. 05-060-10562 and 06-069-10562 in the matter of Christopher J. Austin, Ph.D.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. ESTRADA TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. SETTLES, MR. RENDON AND MS. ANGELO ABSTAINING FROM VOTING.

xxi. The Board reviewed Agreed Order No. 05-114-5984 in the matter of Shelley R. Probbler, Psy.D.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. BLACK TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. HERNANDEZ AND MS. ANGELO ABSTAINING FROM VOTING.

xxii. The Board reviewed Agreed Order No. 06-030-5150 in the matter of M. Gayle Griffin, Psy.D.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. SETTLES TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. HERNANDEZ AND MS. ANGELO ABSTAINING FROM VOTING.

xxiii. The Board reviewed Agreed Order No. 06-049-1729 in the matter of Cheryl Fuller, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ESTRADA TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. HERNANDEZ AND MS. ANGELO ABSTAINING FROM VOTING.

xxiv. The Board reviewed Agreed Order No. 06-065-4567 in the matter of Keith F. Revel, Ed.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MR. RENDON, MS. BLACK, AND MS. ESTRADA ABSTAINING FROM VOTING.

xxv. The Board reviewed Agreed Order No. 06-103-4569 in the matter of Donald Reynolds, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MS. BLACK AND MS. ESTRADA ABSTAINING FROM VOTING.

xxvi. The Board reviewed Agreed Order No. 06-107-11321 in the matter of Earlene S. Caldwell, M.A.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. ESTRADA TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MR. RENDON AND MS. ANGELO ABSTAINING FROM VOTING.

xxvii.The Board reviewed Agreed Order No. 06-117-8012 in the matter of Kevin Jay Schloneger, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MR. RENDON TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MS. BLACK AND MS. ESTRADA ABSTAINING FROM VOTING.

xxviii.The Board reviewed Agreed Order No.06-141-11226 in the matter of George A. Heikens, Ph.D.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY DR. SETTLES TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. HERNANDEZ, MR. RENDON, AND MS. ESTRADA ABSTAINING FROM VOTING.

xxix.The Board reviewed Agreed Order No. 07-016-1985 in the matter of Terry W. Allen, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. BLACK TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

xxx. The Board reviewed Agreed Order No. 07-028-1761 in the matter of David Hirschman, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ESTRADA TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

xxxi.The Board reviewed Agreed Order No. 07-092-12925 in the matter of Elizabeth K. Rhoades, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MR. RENDON TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MS. BLACK AND MS. ESTRADA ABSTAINING FROM VOTING.

xxxii.The Board reviewed Agreed Order No. 07-134-12835 in the matter of Katherine E. Brehm, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MR. RENDON TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH MS. BLACK ABSTAINING FROM VOTING.

xxxiii. The Board reviewed Agreed Order No. 07-151-8941 in the matter of Chester D. Winslow, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY MS. ANGELO TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

xxxiv. The Board reviewed Agreed Order No. 07-186-14154 in the matter of Gregory G. Marsh, Ph.D.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. ESTRADA TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

xxxv. The Board reviewed Agreed Order No. 07-150-2914 in the matter of Joe L. Lerma, Ph.D.

A MOTION WAS MADE BY DR. SETTLES AND SECONDED BY DR. HERNANDEZ TO APPROVE THE AGREED ORDER. THE VOTE WAS UNANIMOUS.

The Board recessed for lunch at 12:30 p.m.

The Board reconvened at 1:47 p.m.

7. The Board moved into Item IX, Consideration of Requested Rule Change on CE Requirements for Diversity Training - Rule 461.11.

MS. LEE BRIEFLY DISCUSSED THE COMMENTS THAT THE BOARD RECEIVED REGARDING PROPOSED AMENDMENTS TO BOARD RULE 461.11 REGARDING DIVERSITY.

AFTER MUCH DISCUSSION A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. BLACK TO TAKE NO ACTION REGARDING BOARD RULE 461.11, REGARDING DIVERSITY. THE VOTE WAS UNANIMOUS.

8. The Board moved into Item X, Consideration of Requested Rule Change on Listing, Public Statements

and Advertisements, Solicitations, and Specialty Titles - Rule 465.6.

- A. Ms. Lee discussed letters that the Board received from Loretta Allen, Ph.D., LSSP, President, Texas Association of School Psychologists and Daniel C. Miller, Ph.D. regarding use of title, National Certified School Psychologist (NCSP).

AFTER MUCH DISCUSSION REGARDING THIS MATTER, THE BOARD DIRECTED STAFF TO DRAFT A RESPONSE TO DR. ALLEN AND DR. MILLER AND BRING BACK TO THE NEXT BOARD MEETING. A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. BLACK FOR STAFF TO DRAFT A RESPONSE. THE VOTE WAS UNANIMOUS.

- 9. The Board moved into Item XI, Compliance Committee.
 - A. Ms. Izzo reviewed the compliance report.
- 10. The Board moved into Item XIII, Legal Matters/General Counsel Report.
 - A. Ms. Izzo discussed upcoming items.
- 11. The Board moved into Item XIV, Budget Committee.
 - A. Ms. Lee reviewed 4th Qtr. Performance Measures.
 - B. Ms. Lee reviewed 1st Qtr. Performance Measures.
 - C. Ms. Lee reviewed the Annual Performance Measures.
 - D. Ms. Lee reviewed the Operating Budget.
- 12. The Board moved into Item XVI, Oral Examination Committee.
 - A. Dr. Clansy stated that at the January Oral Examination two child vignettes had been drafted.
- 13. The Board moved into Item XVII, Technology Committee.
 - A. Ms. Lee reviewed the online renewal statistics which was at 84% online renewal.
 - B. Ms. Lee discussed changes to the website.

14. The Board moved into Item XIX, Personnel Committee.
 - A. Ms. Angelo suggested that the Board establish a policy regarding death or illness of immediate family members only that instead of sending flowers that a \$25 memorial be established in that individual's name.
 - B. Ms. Angelo suggested that each Board member contribute \$20 per person which would cover memorials, coffee and donuts.
15. The Board moved into Item XX, Future Issues:
 - A. Dr. Clansy stated that she had spoken to Doris Scott in the Governor's office and was told that new Board members and a new Board chair would be appointed.
16. The meeting was adjourned at 3:17 p.m.