

Psychology Board Minutes November 7-8, 2002

The Texas State Board of Examiners of Psychologists met in Austin, Texas on November 7-8, 2002. The following Board members were in attendance: Brian Stagner, Ph.D., Chair; Pauline A. Clansy, Ed.D., Vice-Chair; Ruben Rendon, Jr., M.S.; Arthur Hernandez, Ph.D.; Stephanie Sokolosky, M.P.S.; Catherine Estrada; Michael D. Nogueira and Jess Ann Thomason. Also in attendance were Sherry L. Lee, Executive Director and Brett Norbraten, General Counsel. The following Board member was absent: M. David Rudd, Ph.D.

THURSDAY, NOVEMBER 7, 2002

1. The meeting was called to order at 9:00 a.m. by Dr. Stagner.
2. The Board moved into Item II, Public Comments.
Dr. White and Dr. Yates (President Elect), Texas Psychological Association.
Dr. Yates was also appointed by President Bush to the new Freedom Commission on Mental Health
 - A. Dr. White stated that the Texas Psychological Association will bring to the next meeting a proposal to assist the Board in tracking continuing education credits for psychologists.
 - B. Dr. Yates spoke to the Board in regards to Psychopharmacologist privileges. Currently, over 150 psychologists in Texas have this training. Texas Psychological Association will send a formal letter to the Board requesting a formal opinion in regards to psychologist consulting with physicians.
3. The Board did not move into Executive Session.
4. The Board moved into Item IV, Minutes.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE MINUTES FROM THE AUGUST 15- 16, 2002 BOARD MEETING WITH CHANGES TO ITEMS: (5) INTERNAL AUDIT AND STAFF RESPONSE AND (7G) EXECUTIVE DIRECTOR'S REPORT TO INCLUDE MR. RENDON IN THE MOTION. THE MOTION CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
The Board reviewed its Unfinished Business list from the August 15-16, 2002 Board meeting.
5. The Board moved into Item VI, Internal Audit for FY 2003.
 - A. Mr. Tim Schaffner, CPA, gave a review of the audit plan for the new fiscal year. Ms. Lee recommended to the Board that an internal audit be performed on the Enforcement Division

A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY MR. RENDON TO APPROVE THE INTERNAL AUDIT FOR FY 2003. THE MOTION WAS CARRIED WITH DR. CLANSY, DR. HERNANDEZ, MS. THOMASON, MS. ESTRADA AND MR. NOGUEIRA VOTING IN FAVOR OF THE MOTION.

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

A. The Board discussed Board Goals for fiscal year 2003.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. ESTRADA TO APPROVE THE FY 2003 BOARD GOALS. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. SOKOLOSKY, MR. RENDON, MS. THOMASON AND MR. NOGUEIRA VOTING IN FAVOR OF THE MOTION.

B. Dr. Stagner presented a detailed summary of ASPPB meeting:

- i. discussion on the decline in the number of EPPP exams being taken, but scores for Candidates taking those exams increasing;
- ii. ASPPB does not consider the Board's rule on CPQ as adopting the CPQ and therefore will not list Texas as a CPQ state;
- iii. New Mexico presented a lengthy presentation on prescriptive privileges in their state;
- iv. discussion of federal legislation entitled "Our Lady of Peace Act" which would require states to forward to the FBI names of patients who have a history of mental disorders;
- v. next ASPPB meeting will be February 21-23 in San Antonio. Texas will be hosting. Mr. Nogueira, Ms. Estrada and Mr. Rendon will not be attending.

C. Dr. Stagner presented the ASPPB Guidelines for Continuing Professional Education.

D. Dr. Stagner presented the ASPPB Guidelines for Prescriptive Authority.

E. Dr. Stagner discussed the evaluation form for FY 2002 Board Self-Evaluation. The Board discussed using the annual Board goals quarterly review as a self-evaluation tool.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. THOMASON TO DISCONTINUE SELF EVALUATION SURVEY FORM AFTER THIS BOARD MEETING. THE MOTION CARRIED WITH DR. HERNANDEZ, DR. CLANSY, MS. SOKOLOSKY, MS. ESTRADA, AND MR. NOGUEIRA VOTING IN FAVOR OF THE MOTION.

7. The Board moved into Item VII, Executive Director.

A. Ms. Lee advised the Board that Katy Johnsonius is no longer the Attorney General representative: Don Walker is the interim Attorney General representative until a replacement is found;

- B. Ms. Lee noted security changes for the agency and also the building. Ms. Lee discussed forwarded alerts by the Department of Information Resources from the FBI;
- C. Ms. Lee advised the Board of a suspicious package that was delivered in September 2002 to the Funeral Commission. This package was finally determined as unharmed to our building. Improper notification to agencies in the building has led to taking precautionary measures to set up a better system to alert agencies of possible problems i.e., pagers or email.
- D. Ms. Lee advised the Board that the office was recently inspected by the State Office of Risk Management and passed.
- E. Ms. Lee reviewed Office Operations and Personnel Updates:
 - i. Ms. Lee advised the Board that Kourtney McDonald had left the agency. Brenda Skiff was promoted to Admin Tech III. Kay Bradford was hired for the Accounting Clerk position. Tony Bargas, Receptionist, is back at work.
- F. Ms. Lee informed the Board of the results from the Complaint Study of the Health Professions Council:
 - i. complaints are no longer required to be submitted on complaint forms if there is sufficient information to process;
 - ii. if funding is available, all agencies should include on their website all disciplinary action;
 - iii. Nursing Board is asking for funding for FBI fingerprint checks on all new applicants. Governor Perry is requesting Boards to collect emails and require one hour of counter-terrorism continuing education of licensees;
 - iv. Small State Agency Task Force is talking about reducing mandates for small agencies with respect to annual internal audits.
- G. Ms. Lee discussed with the Board Reporting Civil and Criminal Actions. AFTER DISCUSSION THE BOARD DECIDED TO HOLD ARTICLE AND RULE UNTIL REVIEW OF RULE AT THE FEBRUARY 6-7 BOARD MEETING.
- H. Ms. Lee reviewed with the Board the article on Pointers on Forensic Services.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. CLANSY TO APPROVE THE POINTERS ON FORENSIC SERVICES WITH CHANGES. THE MOTION WAS CARRIED WITH DR. HERNANDEZ, MS. ESTRADA, MR. NOGUEIRA, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- I. The Board reviewed correspondence from the following individuals:

- i. John Conway - regarding possible conflict of interest.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. HERNANDEZ TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- ii. Tracy Saff Dow - regarding post-doctoral position meeting the guidelines for licensure.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MR. NOGUEIRA TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, DR. HERNANDEZ, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- iii. Pamela Jane Eckard, M.Ed. - regarding a change to credentials to reflect doctoral level.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. THOMASON TO APPROVE THE DRAFTED RESPONSE. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION. DR. HERNANDEZ ABSTAINED FROM VOTING.
- iv. Carla Jean Egyed, M.A. - regarding change in degree status.
A MOTION WAS MADE BY MS. ESTRADA AND SECONDED BY DR. HERNANDEZ TO APPROVE THE DRAFTED RESPONSE WITH CHANGES. THE MOTION WAS CARRIED WITH DR. CLANSY, MR. NOGUIERA, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION. MR. RENDON ABSTAINED FROM VOTING.
- v. Marsha K. Fisher, M.A. - regarding practicing with an Licensed Psychological Associate permit.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. ESTRADA TO APPROVE THE DRAFTED RESPONSE WITH CHANGES. THE MOTION WAS CARRIED WITH DR. CLANSY, DR. HERNANDEZ, MR. NOGUEIRA, MR. RENDON, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- vi. Andrew Greenstone - Psy.D. - regarding a refund for the Jurisprudence Examination.

A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY DR. CLANSY TO REFUND EXAMINATION FEES. THE MOTION WAS CARRIED WITH MS. ESTRADA, DR. HERNANDEZ, MR. NOGUEIRA, MR. RENDON AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.

- vii. James S. Misko, Ph.D. - regarding continuing education hours.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. ESTRADA TO APPROVE THE DRAFTED RESPONSE. THE MOTION WAS CARRIED WITH DR. CLANSY, DR. HERNANDEZ, MR. NOGUEIRA, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.

- viii. Mary Phillips, M.A. - regarding clarification of LSSP trainee status.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. THOMASON TO APPROVE THE DRAFTED RESPONSE. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION.

- ix. Megan Whitley, Ed.D. - regarding waiver of the post-licensure supervision requirement.

A MOTION WAS MADE BY DR. CLANSY AND SECONDED BY MS. ESTRADA TO APPROVE THE DRAFTED RESPONSE. THE MOTION WAS CARRIED WITH DR. HERNANDEZ, MR. NOGUEIRA, MR. RENDON, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.

- x. Arthur D. Anastopoulos, Ph.D. - regarding requirements for pre-doctoral internship.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE DRAFTED RESPONSE. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, DR. HERNANDEZ, MR. NOGUEIRA, AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.

- xi. Bert Rakowitz, Ph.D. - regarding internships.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE DRAFTED RESPONSE. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA AND MS.

THOMASON VOTING IN FAVOR OF THE MOTION. MR. RENDON ABSTAINED FROM VOTING.

- xii. Karen B. Schmaling, Ph.D. - regarding application fee.
A MOTION WAS MADE BY MS. THOMASON AND SECONDED BY DR. HERNANDEZ TO APPROVE THE DRAFTED RESPONSE. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION.

- 8. The Board moved to Item VIII, Legislative Committee.
 - A. Ms. Lee discussed testimony to the Public Health Committee.
 - B. Ms. Lee discussed with the Board the survey from the Task Force on Personal Privacy.
 - C. Ms. Lee reviewed the Exceptional Items Synopsis.
- 9. The Board moved to Item IX, Psychological Associate Advisory Committee Report.
 - A. Ms. Sokolosky discussed with the Board the letter received from Pamela Parsons, PAAC Chair.
- 10. The Board moved to Item X, Rules Committee.
 - A. The Board reviewed the Rules Proposals.
 - i. The Board reviewed proposed amendments to Board rule §463.11, Licensed Psychologist.
A MOTION WAS MADE BY MS. THOMASON AND SECONDED BY DR. HERNANDEZ TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE §463.11 WITH CHANGES. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. SOKOLOSKY IN FAVOR OF THE MOTION.
 - ii. The Board reviewed proposed amendments to Board rule §465.1, Definitions.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE §465.1. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. THOMASON IN FAVOR OF THE MOTION.
 - iii. The Board reviewed proposed amendments to Board rule §465.3, Providers of Psychological Services.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE §465.3. THE

MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. THOMASON IN FAVOR OF THE MOTION.

- iv. The Board reviewed proposed amendments to Board rule §465.22, Psychological Records, Test Data and Test Protocols. AFTER DISCUSSION THE BOARD DECIDED TO WITHDRAW THE PROPOSED AMENDMENTS TO BOARD RULE §465.22 AT THIS TIME.
- v. The Board reviewed proposed amendments to Board rule §465.32, Disposition and Assumption of the Practice of a Mental Health Professional. AFTER DISCUSSION THE BOARD DECIDED TO WITHDRAW THE PROPOSED AMENDMENTS TO BOARD RULE §465.32 AT THIS TIME.
- vi. The Board reviewed proposed amendments to Board rule §465.33, Improper Sexual Conduct. A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. THOMASON TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE §465.33 WITH CHANGES. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, DR. HERNANDEZ, MR. NOGUEIRA AND MS SOKOLOSKY VOTING IN FAVOR OF THE MOTION.
- vii. The Board reviewed proposed amendments to Board rule §465.35, Resolution of Allegations of Board Rule Violations. A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. THOMASON TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE §465.35. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, DR. HERNANDEZ, MR. NOGUEIRA AND MS SOKOLOSKY VOTING IN FAVOR OF THE MOTION.
- viii. The Board reviewed proposed amendments to board rule §465.36, Code of Ethics. A MOTION WAS MADE BY MS. ESTRADA AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE PROPOSED AMENDMENTS TO BOARD RULE §465.36. THE MOTION WAS CARRIED WITH DR. CLANSY, MR. NOGUEIRA, MR. RENDON AND MS. THOMASON VOTING IN FAVOR OF THE MOTION AND DR. HERNANDEZ VOTING AGAINST THIS MOTION.

B. The Board reviewed the Rule Adoptions.

- i. The Board reviewed the amendments to Board rule §463.13, Requirements for Experience Out-of-State Applicants.
A MOTION WAS MADE BY DR. CLANSY AND SECONDED BY MS. SOKOLOSKY TO ADOPT AMENDMENTS TO BOARD RULE §463.13. THE MOTION WAS CARRIED WITH DR. HERNANDEZ, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- ii. The Board reviewed the amendments to Board rule §465.11, Informed Consent.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MR. RENDON TO ADOPT AMENDMENTS TO BOARD RULE §465.11. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- iii. The Board reviewed the amendments to Board rule §465.12, Privacy and Confidentiality.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. ESTRADA TO ADOPT AMENDMENTS TO BOARD RULE §465.12. THE MOTION WAS CARRIED WITH DR. CLANSY, DR. HERNANDEZ, MR. NOGUEIRA, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- iv. The Board reviewed the amendments to Board rule §465.13, personal Problems, Conflicts and Relationships.
A MOTION WAS MADE BY DR. CLANSY AND SECONDED BY MS. SOKOLSKY TO ADOPT AMENDMENTS TO BOARD RULE §465.13. THE MOTION WAS CARRIED WITH DR. HERNANDEZ, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- v. The Board reviewed the amendments to Board rule §465.15, Fees and Financial Arrangements.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. HERNANDEZ TO ADOPT AMENDMENTS TO BOARD RULE §465.15. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.

- vi. The Board reviewed the amendments to Board rule §465.16, Evaluation, Assessment, Testing and Report.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. ESTRADA TO ADOPT AMENDMENTS TO BOARD RULE §465.16. THE MOTION WAS CARRIED WITH DR. CLANSY, DR. HERNANDEZ, MR. NOGUEIRA, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- vii. The Board reviewed the amendments to Board rule §465.17, Therapy Counseling.
A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY MS. ESTRADA TO ADOPT AMENDMENTS TO BOARD RULE §465.17. THE MOTION WAS CARRIED WITH DR. CLANSY, DR. HERNANDEZ, MR. NOGUEIRA, MR. RENDON AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.

C. The Board reviewed the proposed Rule Review.

- i. Chapter 465, Rules of Practice, Board rules §465.21 - §465.38;
- ii. Chapter 461, General Rulings and Chapter 463, Applications and Examinations, Board rules §463.1 - §463.15 beginning February 2003;
- iii. Chapter 463, Applications and Examinations, Board rule §463.16 - §463.29 and Chapter 469, Complaints and Enforcement beginning May 2003.

A MOTION WAS MADE BY DR. CLANSY AND SECONDED BY MS. THOMASON TO APPROVED PROPOSED AMENDMENTS TO BOARD RULE REVIEW OF CHAPTER 465, RULES OF PRACTICE, BOARD RULES §465.21 - §465.38, CHAPTER 461, GENERAL BOARD RULES §463.1 - §463.15 AND CHAPTER 463, APPLICATIONS AND EXAMINATIONS, BOARD RULE §463.16 - §463.29 AND CHAPTER 469, COMPLAINTS AND ENFORCEMENT. THE MOTION WAS CARRIED WITH MS. ESTRADA, DR. HERNANDEZ, MR. NOGUEIRA, MR. RENDON AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION.

D. The Board reviewed the adoption of Rule Review of Chapter 465, Rules of Practice, Board rules §465.11 - §465.20.

A MOTION WAS MADE BY DR. CLANSY AND SECONDED BY MS. THOMASON TO ADOPT PROPOSED AMENDMENTS TO BOARD RULE REVIEW OF CHAPTER 465, RULES OF PRACTICE, BOARD RULES §465.11 - §465.20. THE MOTION WAS CARRIED

WITH MS. ESTRADA, DR. HERNANDEZ, MR. NOGUEIRA, MR. RENDON AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION.

11. The Board moved to Item XII, Legal Matters / General Counsel Report.
 - A. Mr. Norbraten presented the Board with a HIPAA handout.
 - B. Mr. Norbraten presented the Board with the approved APA Code of Ethics.
12. The Board moved to Item XIII, Technology Committee - item to be held until Friday, November 8, 2002.
13. The Board moved to Item XIV, Oral Examination Committee.
 - A. Ms. Lee updated the Board that there was no feasible alternative for the Sanchez Building at University of Texas.
 - B. Dr. Stagner spoke to the Board about establishing a procedure for oral examinees to receive feedback if they did not pass the oral exam.
 - C. The Board reviewed correspondence from following individuals:
 - i. Danielle Mellin Wright, Ph.D. - oral examination appeal.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. THOMASON TO APPROVE THE DRAFTED RESPON. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION.
 - ii. Peter Oropeza, Psy.D. - oral examination appeal.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. THOMASON TO APPROVE THE DRAFTED RESPON. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. ESTRADA, MR. NOGUEIRA, MR. RENDON AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION.
14. The Board moved to Item XV, Written Examinations Committee.
 - A. Mr. Rendon briefed the Board regarding the ASPPB reducing the rescheduling/processing fee for EPPP candidates from \$150.00 to \$75.00.
15. The meeting recessed at 5:06 a.m.

FRIDAY, NOVEMBER 8, 2002

16. The meeting was call to order at 9:03 a.m. by Dr. Stagner.
17. The Board moved to Item XI, Budget Committee.
 - A. Ms. Lee discussed with the Board the Exceptional Item Request for the Legislative Appropriate Request.

- B. Ms. Lee discussed Estimated Increase Revenues for FY 2004-2005 to fund Exceptional Items.
 - C. Ms. Lee reviewed the Increased Fees for Fiscal Year 2002-2003 and Total Fees Collected for FY 2002.
 - D. Ms. Lee discussed the Legislative Budget Board Approval of the agency's request for raising the cap for out-of-state travel for FY 2003 by \$869.00.
 - E. Ms. Noack discussed the 4th quarter Performance Report for FY 2002.
18. The Board moved to Item XIII, Technology Committee.
- A. Ms. Lee and Ms. Noack discussed procedures for renewing on-line and the agency's agreement with on-line renewal vendor.
 - B. Ms. Lee and Ms. Noack discussed profiling which is limited to an on-line renewal system.
 - C. Ms. Lee noted that for the ASPPB conference in San Antonio Board members must send the completed registration to the Board to the agency. All travel and hotel arrangements will need to be done by each attendee.
19. The Board moved to Item XVI, Enforcement Committee.
- A. Ms. Cynthia Barber, Enforcement Manager, presented dismissals for Board ratification.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. CLANSY TO APPROVE THE DISMISSALS. THE MOTION WAS CARRIED BY MS. ESTRADA, DR. HERNANDEZ, MR. NOGUEIRA, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
 - B. Ms. Barber reviewed the Status Report.
 - C. Ms. Barber discussed the Projected Time Schedule Changes.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. CLANSY TO APPROVE THE PROJECTED TIME SCHEDULE CHANGES. THE MOTION WAS CARRIED BY MS. ESTRADA, MR. NOGUEIRA, MR. RENDON, MS. SOKOLOSKY AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
 - D. Ms. Lee discussed the disciplinary action chart.
 - E. Ms. Lee reviewed the Jurisdictional Complaints Received to Jurisdictional Complaints Resolved.
 - F. Mr. Norbraten presented the Agreed Orders and Proposals for Decision for the Board's approval:
 - i. The Board reviewed SOAH Docket No. 520-02- 2050 in the matter of John Price, Ph.D.
A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY MS. ESTRADA TO APPROVE THE

PROPOSAL FOR DECISION. THE MOTION CARRIED BY DR. CLANSY, DR. HERNANDEZ, MR. NOGUEIRA, MR. RENDON AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.

- ii. The Board reviewed Agreed Order No. 02-647- 6648 in the matter of Frank Ellsworth, III, M.S.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. THOMASON TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA, MR. RENDON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.
- iii. The Board reviewed Agreed Order No. 02-722- 2429 in the matter of James K. Esser, Ph.D.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. THOMASON TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA, MR. RENDON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.
- iv. The Board reviewed Agreed Order No. 02-705- 840 and 02-706- 9269 in the matter of Bobby Joe Lee, M.S.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. THOMASON TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA, MR. RENDON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.
- v. The Board reviewed Agreed Order No. 02-605- 4385 in the matter of Steven H. McColley, Ph.D.
A MOTION WAS MADE BY MR. NOGUEIRA AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR. CLANSY AND MS. THOMASON FAVOR OF THE MOTION. MS. ESTRADA, MR. RENDON AND DR. HERNANDEZ ABSTAINED FROM VOTING.
- vi. The Board reviewed Agreed Order No. 02-594- 4986 in the matter of June Ellen Shepherd, Ph.D.
A MOTION WAS MADE BY MS. THOMASON AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR.

CLANSY AND MR. NOGUEIRA FAVOR OF THE MOTION.
MS. ESTRADA, MR. RENDON AND DR. HERNANDEZ
ABSTAINED FROM VOTING.

- vii. The Board reviewed Agreed Order No. 02-563- 3554 in the matter of Michael Unger, Ph.D.

A MOTION WAS MADE BY MS. SOKOLOSKY AND
SECONDED BY MS. THOMASON TO APPROVE THE
AGREED ORDER. THE MOTION CARRIED BY DR.
CLANSY AND MR. NOGUEIRA FAVOR OF THE MOTION.
MS. ESTRADA, MR. RENDON AND DR. HERNANDEZ
ABSTAINED FROM VOTING.

20. Ms. Sokolosky stated that the PAAC would like to review on-line continuing education information.

21. The Board moved to Item XVII, Compliance Committee.

A. Mr. Norbraten reviewed the Agreed Order Compliance Report with the Board.

22. The Board moved to Item XIX, Publication/Public Information Committee.

A. Ms. Lee stated that the Texas Homeland Security has requested all agencies have a link to their website.

B. Ms. Lee stated we will update our website with newsletters, minutes and new Board officers.

C. A discussion was held about alternative to a printed roster. Ms. Lee was asked to research the issue.

23. The Board moved to Item XX, Future Items.

A. Dr. Stagner stated the following would be discussed at the February 2003 Board Meeting:

A. Continuing Education.

B. Custodian of Records.

C. Rule requiring reporting of pending lawsuits.

24. The meeting was adjourned at 12:07 p.m.