

TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS



EXECUTIVE DIRECTOR
Darrel D. Spinks

Texas State Board of Examiners of Psychologists

MINUTES

August 20, 2015

MEMBERS OF THE BOARD

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

Lou Ann Todd Mock, Ph.D., Vice Chair
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Jeff Baker, Ph.D.
League City

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Jo Ann Campbell, M.S.
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Angela A. Downes, J.D.
Dallas

John R. Huffman, J.D.
Southlake

Leslie D. Rosenstein, Ph.D.
Dallas

The Texas State Board of Examiners of Psychologists met in Austin, Texas on August 20, 2015. The following Board members were in attendance: Tim Branaman, Ph.D., Chair; Donna L. Black, M.A.; Jo Ann Campbell, M.S.; Carlos Chacón; Lou Ann Todd Mock, Ph.D., Vice-Chair; and Leslie Rosenstein, Ph.D. Also in attendance were Darrel Spinks, Executive Director; and Brian Creath, Deputy Executive Director. Absent from the meeting: Jeffrey Baker, Ph.D.; Angela A. Downes, J.D.; and John R. Huffman, J.D.

Thursday, August 20, 2015

1. The meeting was called to order at 9:00 a.m. by Dr. Branaman.
2. The Board moved into Item II, Public Comments - no comments.
3. The Board moved into Item III, Minutes.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY DR. MOCK TO APPROVE THE MINUTES OF THE MAY 21, 2015 BOARD MEETING. THE VOTE CARRIED WITH DR. BAKER, MS. DOWNES AND MR. HUFFMAN ABSENT FROM VOTING.

4. The Board moved into Item IV, Chair's Report - Dr. Branaman.

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- A. Mr. Spinks reviewed the FY 2015 Board goals. Mr. Spinks stated that the format of future Board goals would be changed to make review easier.
- B. Dr. Branaman updated the Board regarding the Association of State and Provincial Psychology Boards (ASPPB):
 - i. 55th Annual meeting will be held in Tempe, AZ and the Midyear meeting will be in Anchorage, AK. Scott Merchant, General Counsel will attend the Annual meeting and Dr. Branaman will be attending the Midyear meeting.
 - ii. ASPPB Board has appointed a Committee on Competency Assessment (CCA) to gather information in order for the Board to determine the feasibility of developing a standardized and validated procedure to assess competency.
 - iii. June 2015 Spring Newsletter.
 - iv. Update on the Psychology Interjurisdictional Compact (PSYPACT).
- C. Oklahoma repealed its requirement for the Oral Examination. This will effect applicants relying on reciprocity.
- D. Mr. Spinks discussed whether to purchase the Statewide Directors' and Officers' insurance offered through SORM. Consultation with attorney needed in Executive Session.
- E. Mr. Spinks reviewed the Self-Evaluation Report for Sunset Advisory Commission. Changes in the following areas were discussed and approved:
 - i. Annual Roster,
 - ii. Exemption,
 - iii. Use of the Title "Licensed Psychologist",
 - iv. Staggered Board Member Terms,
 - v. Standard for Withholding Records,
 - vi. Diagnosis, and

vii. Questionable Billing Practices.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY DR. MOCK TO APPROVE THE REPORT TO THE SUNSET ADVISORY COMMISSION. THE VOTE WAS APPROVED UNANIMOUSLY.

- F. The Board reviewed changes sought by stakeholder associations regarding Sunset.
 - G. The Board reviewed press release from the Department of Justice concerning a Medicare fraud sting.
 - H. The Board reviewed the FY 2016 Personnel Policies and Procedures audit information from the Texas Workforce Commission.
 - I. The Board reviewed the Governor's memo regarding Preserving Religious Liberty for all Texans.
 - J. Board Committee assignments will be discussed at a later date.
 - K. The Board reviewed the July 30, 2015 press release from the Federation of Associations of Regulatory Boards (FARB).
 - L. The Board reviewed the White House report on Occupational Licensing.
5. The Board moved into Item V, Executive Director's Report - Mr. Spinks.
- A. Mr. Spinks discussed operational issues:
 - i. No issues with the Shared database.
 - ii. Board was in compliance with the NPDB.
 - iii. HB 300 will be updated at the end of FY 2015.
 - iv. Ethics presentations have been made with very positive feedback in Lubbock, Austin, San Antonio and Corpus Christi.
 - v. Criminal Fingerprint History Background Check is running smoothly.

- vi. The online Jurisprudence Examination will be moving forward in September.
- vii. Review Information Security Plan and Data Use Agreement Form.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. CAMPBELL TO APPROVE THE INFORMATION SECURITY PLAN AND DATA USE AGREEMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

viii. Review fees charged for Supervision by other states.

ix. DPS will be moving to FACT Clearinghouse for the fingerprint-based criminal history checks effective January 1, 2016.

x. Biennial Operating Plan has been submitted to the Legislative Budget Board.

B. The Board reviewed proposed Policy changes:

i. Prohibition Against Possession of Deadly Weapons at any Activity Conducted by the Board.

THIS POLICY WILL BE DEFERRED UNTIL AFTER EXECUTIVE SESSION.

ii. Staff Training and Education.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED POLICY. THE VOTE WAS APPROVED UNANIMOUSLY.

iii. Expressing Breast Milk in the Workplace.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY DR. MOCK TO APPROVE THE PROPOSED POLICY. THE VOTE WAS APPROVED UNANIMOUSLY.

iv. Agency Contracting.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED POLICY. THE VOTE WAS APPROVED UNANIMOUSLY.

v. Board Service Awards for Volunteer Services.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MS. CAMPBELL TO APPROVE THE PROPOSED POLICY. THE VOTE WAS APPROVED UNANIMOUSLY.

C. The Board reviewed letter(s) received from the following individuals:

- i. John Wagner - counseling for a student that is no longer in school or in special education classes.

MR. SPINKS WILL DRAFT A RESPONSE AND FORWARD TO DR. BRANAMAN.

6. The Board moved into Item VI, Rules Committee - Dr. Branaman.

A. The Board reviewed the Proposed Rule(s):

- i. 461.9, Subdoctoral Licensure.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY DR. MOCK TO APPROVE THE PROPOSED REPEAL. THE VOTE WAS APPROVED UNANIMOUSLY.

- ii. 463.1, Types of Licensure.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

- iii. 463.6, Regionally Accredited Institutions.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

- iv. 463.8, Licensed Psychological Associate.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY MS. CAMPBELL TO APPROVE THE PROPOSED REPEAL. THE VOTE WAS APPROVED UNANIMOUSLY.

- v. 463.8, Licensed Psychological Associate.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED NEW RULE WITH CHANGES. THE VOTE WAS APPROVED UNANIMOUSLY.

- vi. 463.9, Licensed Specialist in School Psychology.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED REPEAL. THE VOTE WAS APPROVED UNANIMOUSLY.

- vii. 463.9, Licensed Specialist in School Psychology.

A MOTION WAS MADE MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED NEW RULE WITH CHANGES. THE VOTE WAS APPROVED UNANIMOUSLY.

viii.463.10, Provisionally Licensed Psychologists.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED REPEAL. THE VOTE WAS APPROVED UNANIMOUSLY.

ix. 463.10, Provisionally Licensed Psychologists.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED NEW RULE. THE VOTE WAS APPROVED UNANIMOUSLY.

x. 463.11, Licensed Psychologist.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY DR. MOCK TO APPROVE THE PROPOSED REPEAL. THE VOTE WAS APPROVED UNANIMOUSLY.

xi. 463.11, Licensed Psychologist,

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY DR. MOCK TO APPROVE THE PROPOSED NEW RULE. THE VOTE WAS APPROVED UNANIMOUSLY.

xii. 463.20, Refunds and Transfer of Application and Examination Fees.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

xiii.463.30, Licensing for Military Service Members, Veterans and Spouses.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED AMENDMENT WITH CHANGES. THE VOTE WAS APPROVED UNANIMOUSLY.

xiv. 465.1, Definitions.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY DR. MOCK TO APPROVE THE PROPOSED AMENDMENT WITH CHANGES. THE VOTE WAS APPROVED UNANIMOUSLY.

xv. 465.2, Supervision.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED REPEAL. THE VOTE WAS APPROVED UNANIMOUSLY.

xvi. 465.2, Supervision.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED NEW RULE. THE VOTE WAS APPROVED UNANIMOUSLY.

xvii.465.3, Providers of Psychological Services.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY MS. BLACK TO APPROVED THE PROPOSED AMENDMENTS. THE VOTE WAS APPROVED UNANIMOUSLY.

xviii.465.6, Listings, Public Statements and Advertisements, Solicitations, and Specialty Titles.

A MOTION WAS MADE BY DR. MOACK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

xix. 465.18, Forensic Services.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

xx. 465.38, Psychological Services for Public Schools.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED REPEAL. THE VOTE WAS APPROVED UNANIMOUSLY.

xxi. 465.38, Psychological Services for Public Schools.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED NEW RULE WITH CHANGES. THE VOTE WAS APPROVED UNANIMOUSLY.

xxii.469.13, Non-Compliance with Professional Development Requirements.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

xxiii.470.13, Entry of Appearance in Contested Case;
Contents of Responsive Pleading.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED REPEAL. THE VOTE WAS APPROVED UNANIMOUSLY.

xxiv.471.6, Renewal Penalty Waiver for Licensees on Military Deployment.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED REPEAL. THE VOTE WAS APPROVED UNANIMOUSLY.

xxv. 471.6, Renewal Terms Exclusive to Licensees on Active Military Duty.

A MOTION WAS MADE BY MS. CAMPBELL AND SECONDED BY MS. BLACK TO APPROVE THE PROPOSED NEW RULE. THE VOTE WAS APPROVED UNANIMOUSLY.

xxvi.473.1, Application Fees (Non Refundable)

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

xxvii.473.2, Examination Fees.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE PROPOSED AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

B. The Board reviewed the Adopted Rule(s):

i. 461.22, Agency Contracts and Purchasing.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MS. BLACK TO APPROVE THE ADOPTED NEW RULE. THE VOTE WAS APPROVED UNANIMOUSLY.

ii. 463.8, Licensed Psychological Associate.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO WITHDRAW THE AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

iii. 463.17, Rescheduling of Examination Due to Religious Holy Day.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY DR. MOCK TO APPROVE THE ADOPTED NEW RULE. THE VOTE WAS APPROVED UNANIMOUSLY.

- iv. 465.6, Listings, Public Statements and Advertisements, Solicitations, and Specialty Titles.

A MOTION WAS MADE BY DR. ROSENSTEIN AND SECONDED BY DR. MOCK TO APPROVE THE ADOPTED NEW RULE. THE VOTE WAS APPROVED UNANIMOUSLY.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE RESPONSE TO THE PUBLIC COMMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

- v. 465.7, Display of License/Renewal Permit.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE ADOPTED AMENDMENT. THE VOTE WAS APPROVED UNANIMOUSLY.

The Board recessed for a break at 10:53 a.m.

The Board reconvened from break at 11:09 a.m.

7. The Board moved into Item VII, Enforcement Committee - Dr. Baker.

A. Ms. Barber presented dismissals for Board ratification:

- i. 15-043;
- ii. 15-041;
- iii. 15-067;
- iv. 15-073;
- v. 15-076;
- vi. 15-075;
- vii. 14-155;
- viii. 15-040;
- ix. 15-131;
- x. 15-176;

xi. 15-079;

xii. 15-033;

xiii.15-064;

xiv. 15-063; and

xv. 14-161

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MR. CHACÓN TO APPROVE THE DISMISSALS. THE VOTE WAS APPROVED UNANIMOUSLY.

xvi. 15-156;

xvii.15-127; and

xviii.15-133

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MS. BLACK TO APPROVE THE DISMISSALS. THE VOTE CARRIED WITH MS. CAMPBELL AND MR. CHACÓN RECUSED FROM VOTING.

xvix.15-047

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MS. BLACK TO APPROVE THE DISMISSAL. THE VOTE APPROVED UNANIMOUSLY.

B. Ms. Barber reviewed the Status Report.

C. Ms. Barber discussed the Projected Time Schedule.

D. November 2015 ISC attendees will be Ms. Campbell, Mr. Huffman and Dr. Rosenstein.

E. February 2016 ISC attendees will be Dr. Branaman, Dr. Mock and Ms. Downes.

F. May 2016 ISC attendees will be Dr. Mock, Ms. Black and Ms. Downes.

G. August 2016 ISC attendees will be Dr. Branaman, Ms. Campbell and Mr. Chacón.

H. Mr. Merchant presented the Agreed Orders for the Board's approval:

- i. The Board reviewed Agreed Order No. 2015-00072-411, in the matter of Joe Milton Finch, Psy.D.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. CAMPBELL TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. BAKER, MR. CHACÓN AND DR. MOCK RECUSED FROM VOTING.

- ii. The Board reviewed Agreed Order No. 2015-00069-2973, in the matter of Lynn Rae Herr, Ph.D.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. CAMPBELL TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. BAKER, MR. CHACÓN AND DR. MOCK RECUSED FROM VOTING.

- iii. The Board reviewed Agreed Order No. 2015-00177-4099, in the matter of Maurice A. Hitchcock, Ed.D.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. BAKER RECUSED FROM VOTING.

- iv. The Board reviewed Agreed Order No. 2015-00071-10513, in the matter of Catherine Benedict Jackson, Psy.D.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. CAMPBELL TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. BAKER, MR. CHACÓN AND DR. MOCK RECUSED FROM VOTING.

- v. The Board reviewed Agreed Order No. 2015-00210-13654, in the matter of Brooke Marie Mann, M.S.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MS. CAMPBELL TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. ROSENSTEIN RECUSED FROM VOTING.

- vi. The Board reviewed Agreed Order No. 2014-00215-10262, in the matter of Kelly L. Stille, Psy.D.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. CAMPBELL TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. BAKER, MR. CHACÓN AND DR. MOCK RECUSED FROM VOTING.

- vii. The Board reviewed Agreed Order No. 2015-00068-12242, in the matter of Denitrea Franciana Vaughan, Psy.D.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. CAMPBELL TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. BAKER, MR. CHACÓN AND DR. MOCK RECUSED FROM VOTING.

viii. The Board reviewed Agreed Order No. 2015-00070-10410, in the matter of Lieu Nguyen Vuong, Ph.D.

A MOTION WAS MADE BY MS. BLACK AND SECONDED BY MS. CAMPBELL TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. BAKER, MR. CHACÓN AND DR. MOCK RECUSED FROM VOTING.

ix. The Board reviewed Agreed Order No. 14-030-9999, in the matter of Trevincia Williams, Ph.D.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY M. CAMPBELL TO APPROVE THE AGREED ORDER. THE VOTE WAS APPROVED UNANIMOUSLY.

x. The Board reviewed Agreed Order No. 2015-00238-4591, in the matter of Jose H. Pesantes Flores, M.A.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. ROSENSTEIN RECUSED FROM VOTING.

8. The Board moved into Item VIII, Compliance Committee - Ms. Black - no items to discuss.
9. The Board moved into Item IX, Legal Matters/General Counsel Report.
 - A. Mr. Merchant stated that the Board has two hearings at SOAH.
 - B. Mr. Spinks updated the Board regarding Cause No. 03-130-00077-CV TX State Bd. Of Marriage and Family Therapists, et al v. Texas Medical Association, et al, 3rd COA, Austin, Texas. The court ruled in January 2015 that the Marriage and Family Therapists may not diagnose. They are seeking review from the Texas Supreme Court.
 - C. Mr. Spinks discussed the Kentucky case, Cause No. 3:13-cv-00042-GFVT-EBA, Rosemond v. Kentucky Board of Examiner of Psychology et al, regarding a psychologist from North Carolina with a syndicated column published in Kentucky. This case could have implications for all agencies around the country. This matter is before the District Court awaiting a summary judgment decision.

10. The Board moved into Item X, Legislative Committee - Ms. Downes.
 - A. Mr. Spinks reviewed bills that could potentially affect the agency:
 - i. HB 7, relating to the repeal of the \$200 professional fee.
 - ii. HB 763, relating to a petition to a state agency for adoption of rules.
 - iii. HB 855, relating to the compatibility of state agency websites with certain devices and internet browsers.
 - iv. HB 1449, relating to child custody evaluations and adoption evaluations.
 - v. HB 1771, relating to the donation of sick leave by state employees.
 - vi. HB 1924, relating to the authority of a psychologist to delegate certain care to an intern.
 - vii. HB 3742, relating to the authority of the Executive Director to determine applicant eligibility for a license.
 - viii. SB 807, relating to occupational license application and examination fees for certain military service members, military veterans, and military spouses.
 - ix. SB 1307, relating to occupational licenses for military service members, military veterans, and military spouses.
 - B. The Board reviewed an email from Mr. Joe Trash, Assistant Attorney General regarding a summary of significant bills from the 84th Legislative Session.
11. The Board moved into Item XI, Budget Committee - Dr. Branaman.
 - A. Mr. Spinks reviewed the 3rd Quarter Performance Measures.
 - B. Mr. Spinks reviewed the FY 2016 - 2017 Biennium Report.
12. The Board moved into Item XII, Written Examination Committee - Dr. Mock - no items to discuss.

13. The Board moved into Item XIII, Oral Examination Committee - Drs. Rosenstein and Baker.
 - A. July examination results reviewed.
14. The Board moved into Item XIV, Technology Committee - Mr. Chacón.
 - A. Mr. Chacón reviewed the online renewal statistics.
15. The Board moved into Item XV, Applications Committee - Dr. Rosenstein - no items to discuss.
16. The Board moved into Item XVI, Personnel Committee - Ms. Campbell - matters will be taken up following Executive Session.
17. The Board moved into Item XVII, Customer Service Committee - Mr. Huffman - no items to discuss.
18. The Board moved into Item XVIII, Future Issues and Other Requested Agenda Items.
 - A. Possibility of rule change related to formal 2 year post-doctoral positions.

The Board recessed for a break at 11:42 a.m.

The Board reconvened from break at 11:53 a.m.

19. The Board moved into Item VII, Enforcement Committee - Dr. Baker.
 - A. Disciplinary Hearing and Final Determination in TSBEP Complaint No. 14-118-1712, in the matter of Grace C. Graham, Psy.D.
 - i. Mr. Merchant presented the Board's case against Dr. Graham.
 - ii. Mr. Robert Gordan, attorney for licensee appeared before the Board and presented her case, and requested that the Board not take any action against her.

20. The Board moved into Item XIX, Executive Session, pursuant to Tex. Gov't Code Ann. §551.071; §501.402 and 22 Tex. Admin. Code, Pt. 21, §469.6 at 12:14 p.m.

21. The Board returned from Executive Session at 1:13 p.m.

The Board recessed for a break at 1:13 p.m.

The Board reconvened from break at 1:21 p.m.

22. The Board moved into Item XX, Action on matters considered in Executive Session.

A. Disciplinary Hearing and Final Determination in TSBEP Complaint No. 14-118-1712, in the matter of Grace C. Graham, Psy.D.

A MOTION WAS MADE BY MR. CHACÓN AND SECONDED BY DR. ROSENTSTEIN TO APPROVE THE ORDER WITH CHANGES. THE VOTE CARRIED WITH MS. BLACK RECUSED FROM VOTING.

B. Statewide Directors' and Officers' liability insurance and liability under federal anti-trust laws.

THIS MATTER WILL BE DISCUSSED AT THE NOVEMBER BOARD MEETING.

C. Increase in Executive Director's salary that was recommended by the 84th Legislative Session.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. CHACÓN TO INCREASE THE EXECUTIVE DIRECTORS SALARY TO THE ALLOWABLE CAP EFFECTIVE SEPTEMBER 1, 2015 OR ALLOWED BY LAW.

C. The Board reviewed Policy changes:

i. Prohibition Against Possession of Deadly Weapons at any Activity Conducted by the Board.

A MOTION WAS MADE BY DR. ROSENSTEIN AND SECONDED BY MR. CHACÓN TO REPEAL THE POLICY. THE VOTE WAS APPROVED UNANIMOUSLY.

23. The meeting was adjourned at 1:33 p.m. by Dr. Branaman.