

Psychology Board Minutes April 4-5, 2002

The Texas State Board of Examiners of Psychologists met in Austin, Texas on April 4-5, 2002. The following Board members were in attendance: M. David Rudd, Ph.D., Chair; Brian Stagner, Ph.D., Vice-Chair; Ruben Rendon, Jr., M.S.; and Stephanie Sokolosky, M.P.S. Also in attendance were Sherry L. Lee, Executive Director, and Brett Norbraten, General Counsel.

THURSDAY, APRIL 4, 2002

1. The meeting was called to order at 9:00 a.m. by Dr. Rudd.
2. The Board moved into Item II, Public Comments.
There was no public comment.
3. The Board moved into Item IV, Minutes.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. STAGNER TO APPROVE THE MINUTES FROM THE JANUARY 24-25, 2002 BOARD MEETING. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION. DR. STAGNER WAS ABSENT FOR THE VOTE.
The Board reviewed its Unfinished Business list from the January 24-25, 2002 Board meeting.
4. The Board moved into Item VII, Internal Audit Risk Assessment and Audit Plan.
Mr. Tim Schaffner, CPA, reviewed the Risk Assessment Report of the agency. Mr. Schaffner stated that his findings support an audit of the agency's licensing function.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE AUDIT PLAN. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
5. The Board moved into Item V, Presentation by the Texas Association of Psychological Associates.
At the Board's request representatives from the Texas Association of Psychological Associates (TAPA) were in attendance to address licensure issues and concerns with the Board.
 - A. Betty Dawson - Ms. Dawson gave the Board a booklet outlining TAPA's presentation. Ms. Dawson expressed TAPA's interest in obtaining independent practice for Licensed Psychological Associates (LPA).
 - B. Jeff Schute - Mr. Schute discussed the difficulties LPAs encounter with billing and reimbursement. Mr. Schute also expressed TAPA's fear of Licensed Professional Counselors (LPC) taking over the role of the LPA.

6. The Board moved into Item IV, Chair's Report.
 - A. The Board reviewed its Fiscal Year 2002 Board Goals and Performance Measures.

Dr. Rudd directed the agency to present a document by the end of the year evaluating its procedures for the transition of applications and renewals to the internet.
 - B. The Board discussed issues pertaining to the Association of State and Provincial Psychology Boards (ASPPB).
 1. Dr. Rudd updated the Board on his attendance at the ASPPB mid-winter meeting.
 2. Dr. Stagner expressed his interest in being nominated to serve on the ASPPB Board. Dr. Rudd requested that he be nominated as a fellow for ASPPB.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. SOKOLOSKY TO APPROVE DR. STAGNER AND DR. RUDD'S NOMINATION TO ASPPB. THE MOTION CARRIED WITH MR. RENDON AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION. DR. STAGNER ABSTAINED FROM VOTING.

- C. The Board discussed its attendance at upcoming meetings and conferences.
- D. Dr. Rudd updated the Board on the appointment of new Board members, indicating that the appointments are awaiting Senate action. Dr. Rudd noted that once the new members are appointed an orientation will be scheduled.
- E. Dr. Rudd updated the Board on the Statewide Health Coordinating Council (SHCC) Telemedicine and Telehealth Report.

Dr. Rudd directed the staff to propose a rule requiring psychologists practicing telehealth to be licensed in the state in which the patient is physically located. Dr. Rudd also stated that language should be added to the Board's Policy on Continuing Education to include telehealth/telemedicine.
- F. Dr. Rudd updated the Board on prescription privileges, noting that New Mexico has passed legislation granting prescription privileges for Licensed Psychologists.
- G. Dr. Rudd reviewed with the Board the process of the Sunset Advisory Commission.
 1. The Board reviewed the Sunset Commission Staff Report of the Texas State Board of Dental Examiners.

2. David White, representative of the Texas Psychological Association (TPA), updated the Board on TPA's Task Force for the 2005 Sunset Review of the agency. Mr. White indicated that the Task Force will be looking at the entire Licensing Act, as well as focusing on prescription privileges for psychologists.
- H. Dr. Rudd discussed the proposal for moving to quarterly Board meetings and offering three oral examinations. After a brief discussion the Board decided to postpone the topic until Item XV, Oral Examination Committee.
- I. The Board reviewed the amendments to the Policy on Continuing Education.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE AMENDMENTS TO THE POLICY. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

7. The Board moved into Item VIII, Executive Director's Report.
 - A. Ms. Lee updated the Board on office operations and personnel issues.
 - i. Ms. Lee informed the Board that the agency had filled both the Enforcement Manager and Administrative Technician I/Accounting Clerk positions, and is now at full staff.
 - ii. Ms. Lee briefed the Board on the misprint of verifications, explaining that the situation had been addressed without incident.
 - B. Ms. Lee updated the Board on issues pertaining to the Health Professions Council (HPC) and Small State Agency Task Force.
 - . Ms. Lee informed the Board that the State Auditor's Office will be conducting a Fiscal Management Parody Study regarding classified positions which could result in the possible reclassification of positions for higher salaries.
 - i. Ms. Lee noted that the agency has begun working on its Strategic Plan.
 - ii. Ms. Lee stated that the HPC is currently calculating the pro rata share cost for its member agencies for the next biennium, noting that this could result in a ten-thousand dollar increase in costs for the agency.
 - C. Ms. Lee updated the Board on the status of the newsletter.
 - . Ms. Lee presented the article entitled *Board Conducts Random Surveys to Determine Satisfaction with Board Operations*.

- i. Ms. Lee presented the article entitled *Applications Approval Accelerated*.

The Board directed Ms. Lee to include the two articles in the next TSBEP newsletter, as well as an introduction of new Board members.

- D. Ms. Lee reviewed the Customer Service Synopsis with the Board.
- E. Ms. Lee briefed the Board on the Strategic Plan, asking that the Board appoint a Chair to grant final approval upon completion.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPOINT DR. RUDD TO GRANT FINAL APPROVAL OF THE STRATEGIC PLAN. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- F. The Board reviewed letters with regards to the following individuals:
 - . Don Teeler - regarding Mr. Teeler's letter of support for TAPA's presentation to the Board.
After discussion, the Board directed the staff to draft a response to Mr. Teeler for Board approval and to send a thank you letter to TAPA for its presentation to the Board.
 - i. Verl O. Childers, Ph.D. - regarding Dr. Childers' letter referencing informed consent within the criminal justice system.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
 - ii. Sandra L. Hotz, Ph.D. - regarding Dr. Hotz's request to transfer Oral Examination fees.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. STAGNER TO APPROVE THE DRAFTED RESPONSE. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
 - iii. Jenn Bissett - regarding Ms. Bissett's e-mail concerning supervised experience.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE DRAFTED RESPONSE. THE MOTION CARRIED WITH MR.

RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- iv. Robert M. Dane, Ph.D. - regarding Dr. Dane's request for extension of his provisional license.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- v. Sandy Livingston - regarding Ms. Livingston's request for clarification of exempt settings.
A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY MR. RENDON TO APPROVE THE DRAFTED RESPONSE. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- vi. Richard A. Lourie, Ph.D. - regarding Dr. Lourie's request concerning the provision of raw data without parental consent.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPROVE THE DRAFTED RESPONSE. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- vii. Linda Wise - regarding Ms. Wise's letter to Senator Mario Gallegos concerning hypnotherapy.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPROVE THE DRAFTED RESPONSE. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- viii. Robbie L. Rhodes, Ph.D. - regarding Dr. Rhodes' letter concerning the Oral Examination.
Dr. Stagner stated that he would bring back a response to Dr. Rhodes' letter for Board approval.
- ix. Tanya Shan, Ph.D. - regarding Dr. Shan's request for retroactive inactive status.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION CARRIED WITH MR. RENDON, MS.

SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- x. Shawn Stoever, Ph.D. - regarding Dr. Stoever's request for waiver of the two hundred dollar professional fee on the EPPP he did not take.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

G. Ms. Lee presented the proposed policies for the Board's review.

- . The Board reviewed the Policy on Independent Contracting by Licensed Specialists in School Psychology (LSSP).

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPROVE THE AMENDED POLICY. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

Dr. Rudd directed Ms. Lee to include the policy in the next TSBEP newsletter.

- i. The Board reviewed the Policy on Cease and Desist Enforcement. A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE POLICY. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

8. The Board moved into Item IX, Publications/Public Information Committee. The Board reviewed the web-site statistics noting the continued increase in usage.

9. The Board moved into Item XI, Rules Committee.

A. The Board reviewed proposed amendments to Board rule §465.38, Psychological Services in the Schools.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO PROPOSE THE AMENDMENTS TO BOARD RULE §465.38. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

B. The Board reviewed proposed amendments to Board rule §470.8, Informal Disposition in Complaints.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY

MS. SOKOLOSKY TO PROPOSE THE AMENDMENTS TO BOARD RULE §470.8. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- C. The Board reviewed proposed new Board rule §470.11, Service in Non-rulemaking Proceedings.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO PROPOSE NEW BOARD RULE §470.11. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- D. The Board reviewed proposed new Board rule §470.17, Computation of Time.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SOKOLOSKY TO PROPOSE NEW BOARD RULE §470.17. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- E. The Board reviewed proposed new Board rule §470.18, The Record.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO PROPOSE NEW BOARD RULE §470.18. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- F. The Board reviewed proposed amendments to Board rule §470.21, Disciplinary Guidelines.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. STAGNER TO PROPOSE THE AMENDMENTS TO BOARD RULE §470.21. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- G. The Board reviewed proposed new Board rule §473.3, Annual Renewal Fees (Not Refundable).

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SOKOLOSKY TO PROPOSE NEW BOARD RULE §473.3. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- H. The Board reviewed the proposed repeal of existing Board rule §473.3, Annual Renewal Fees (Not Refundable).

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SOKOLOSKY TO PROPOSE THE REPEAL OF BOARD RULE §473.3. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- I. The Board reviewed proposed amendments to Board rule §473.4, Late Fees for Renewals (Not Refundable).
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. STAGNER TO PROPOSE THE AMENDMENTS TO BOARD RULE §473.4. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- J. The Board reviewed the amendments to Board rule §463.11, Licensed Psychologist.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO ADOPT THE AMENDMENTS TO BOARD RULE §463.11 AND ACCEPT THE ORDER ADOPTING THE RULE. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- K. The Board reviewed new Board rule §463.13, Requirements for Experience for Out-of-State Applicants.
A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY DR. STAGNER TO ADOPT NEW BOARD RULE §463.13 AND ACCEPT THE ORDER ADOPTING THE RULE. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- L. The Board reviewed the amendments to Board rule §463.15, Oral Examination.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. SOKOLOSKY TO ADOPT THE AMENDMENTS TO BOARD RULE §463.15 AND ACCEPT THE ORDER ADOPTING THE RULE. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- M. The Board reviewed the amendments to Board rule §465.18, Forensic Services.
A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY DR. STAGNER TO ADOPT THE AMENDMENTS TO BOARD RULE §465.18 AND ACCEPT THE ORDER ADOPTING THE RULE. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
- N. The Board reviewed the proposed withdraw and adoption on an emergency basis of Board rules §473.1, Application Fees (Not Refundable) and §473.2, Examination Fees (Not Refundable).
A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY DR. STAGNER TO WITHDRAW THE AMENDMENTS AND ADOPT THE AMENDMENTS TO BOARD RULES §473.1 AND

§473.2 ON AN EMERGENCY BASIS AND TO ACCEPT THE ORDER ADOPTING THE RULES. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- O. The Board reviewed the amendments to Board rule §473.5, Miscellaneous Fees (Not Refundable).
A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY MR. RENDON TO ADOPT THE AMENDMENTS TO BOARD RULE §473.5 AND ACCEPT THE ORDER ADOPTING THE RULE. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
 - P. The Board reviewed the proposed Rule Review of Chapter 470, Administrative Procedures and Chapter 471, Renewals.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO PROPOSE THE RULE REVIEW OF CHAPTER 470 AND CHAPTER 471. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
 - Q. The Board discussed the issue of custodian of records. Mr. Norbraten received directive from the Board to consult with the Texas State Board of Medical Examiners in regards to their policy concerning custodian of records and to bring back language for a proposed rule.
10. The Board moved into Item XII, Budget Committee.
- A. Ms. Lee reviewed the Quarterly Budget with the Board.
 - B. Ms. Lee reviewed the Quarterly Performance Report with the Board, noting that the number of new licenses issued is lower.
11. The Board moved into Item XIII, Legal Matters.
- A. Mr. Norbraten briefed the Board on the federal privacy guidelines regarding medical data.
 - B. Mr. Norbraten reviewed the Attorney General Opinion request from the Texas Education Agency regarding school counselor records.
 - C. Mr. Norbraten reviewed the amendments to the Policy on Implementation of Schedule of Sanctions.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. STAGNER TO APPROVE THE POLICY. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
 - D. Mr. Norbraten reviewed the comparison between Board rules and the American Psychological Association (APA) Ethics Code.
12. The meeting recessed at 4:40 p.m.

FRIDAY, APRIL 5, 2002

13. The meeting was called to order at 9:04 a.m. by Dr. Rudd.
14. The Board moved into Item X, Psychological Associate Advisory Committee (PAAC) Report.
 - A. Pamela T. Parsons, M.A., and Wendy L. Buchanan Jones, M.Ed., representatives of the PAAC, presented the Board with research concerning Psychological Associate privileges and licensing requirements in the state of Texas.
 - B. The PAAC presented two versions of its proposed new Board rule §467.7, Licensed Psychological Associate - Advanced Clinical Practitioner (LPA-ACP), for the Board's consideration.

The Board indicated that it would need a feasibility study on the impact of enforcing the proposed rule. After discussion, the Board stated that it would hold its vote on the proposal until the June 13-14, 2002 Board meeting when Board member vacancies have been filled.
 - C. The PAAC presented the Board with a letter to Linda Kay Wertz, State Medicaid Director, requesting clarification of billing guidelines.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPROVE THE PAAC'S LETTER TO MS. WERTZ. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
15. The Board moved into Item XIV, Technology Committee.

Ms. Lee updated the Board on Senate Bill 187 and Senate Bill 645, concerning online renewals and profiles.
16. The Board moved into Item XVII, Enforcement Committee.
 - A. Ms. Valarica Martinez, Acting Enforcement Manager, presented the status report for the Board's review.
 - B. Ms. Martinez presented the Projected Time Schedule Changes for the Board's approval.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPROVE THE PROJECTED TIME SCHEDULE CHANGES. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.
 - C. Ms. Martinez provided the Board with a list of complaints and Continuing Education violations handled at the Staff Dismissal Meeting held on April 3, 2002. A copy of the case summaries from the Staff Dismissal Meeting and a listing of all cases involved is attached hereto and made a part of these minutes.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO RATIFY THE RECOMMENDATIONS OF THE STAFF ON CASE SUMMARIES FOR STAFF DISMISSAL MEETINGS. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

A MOTION WAS BY MR. RENDON AND SECONDED BY MR. RENDON TO RATIFY THE RECOMMENDATION OF THE STAFF ON THE CASE SUMMARY FROM THE INFORMAL SETTLEMENT CONFERENCE MEETING. THE MOTION CARRIED WITH MR. RENDON VOTING IN FAVOR OF THE MOTION. MS. SOKOLOSKY AND DR. STAGNER ABSTAINED FROM VOTING.

- D. The Board confirmed that Dr. Rudd, Ms. Sokolosky, and Dr. Stagner would serve on the IFC panel on June 12, 2002. The Board confirmed that Mr. Rendon, Dr. Stagner, and a newly appointed Board member would serve on the IFC panel on August 14, 2002. Dr. Rudd stated that he would draft a Board member rotation chart for upcoming IFC panels.
- E. The Board reviewed the Agreed Orders and Proposals for Decision.

- . The Board reviewed Agreed Order No. 00-306-1761 in the matter of David Hirschman, Ph.D.

A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE AGREED ORDER FOR DAVID HIRSCHMAN, PH.D., AND TO AUTHORIZE THE CHAIR TO SIGN IT. THE MOTION CARRIED WITH MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION. MR. RENDON AND DR. STAGNER ABSTAINED FROM VOTING.

- i. The Board reviewed Agreed Order No. 01-499-6469 in the matter of Lawrence R. Capes, Psy.D.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. STAGNER TO APPROVE THE AGREED ORDER FOR LAWRENCE R. CAPES, PSY.D., AND TO AUTHORIZE THE CHAIR TO SIGN IT. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- ii. The Board reviewed Agreed Order No. 00-340-5766 in the matter of Michael Fresques, Ph.D.

A MOTION WAS MADE BY MS. SOKOLOSKY AND SECONDED BY MR. RENDON TO APPROVE THE AGREED ORDER FOR MICHAEL FRESQUES, PH.D., AND TO AUTHORIZE THE CHAIR TO SIGN IT. THE MOTION

CARRIED WITH MR. RENDON AND MS. SOKOLOSKY
VOTING IN FAVOR OF THE MOTION. DR. STAGNER
ABSTAINED FROM VOTING.

17. The Board moved into Item XVIII, Compliance Committee.

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

18. The Board moved into Item XIX, Applications Committee.

Dr. Rudd gave an overview of the new application approval process, noting that it is running smoothly.

19. The Board moved into Item XX, Legislative Committee

A. Ms. Lee updated the Board on the Governor's Task Force on Homeland Security.

B. Ms. Lee reviewed the agency's Fiscal Note on Homeland Security.

20. The Board moved into Item XVI, Written Examinations Committee.

A. Dr. Rudd reviewed the memorandum from the Professional Examination Service, addressing a change in the reporting of scores..

B. Dr. Rudd informed the Board that the Written Examination Committee meeting will be held in May.

C. Dr. Rudd updated the Board on the computerization of the EPPP, noting that applicants are not taking the examination in a timely fashion.

21. The Board reviewed the draft response to TAPA thanking them for their presentation to the Board.

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

22. The Board moved into Item XV, Oral Examination.

A. The Board reviewed the drafted response to Robbie L. Rhodes, Ph.D.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

B. Dr. Stagner reviewed Oral Examination issues and cost estimates of holding a third Oral Examination.

After much discussion, the Board decided to explore modifying the Board's existing rules to waive the Oral Examination for applicants who have taken Oral Examinations in other states for discussion at the June 13-14, 2002 Board meeting.

C. Dr. Stagner reviewed the proposed amendments to Clinical Vignette 2. A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPROVE THE AMENDMENTS TO CLINICAL

VIGNETTE 2. THE MOTION CARRIED WITH MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- D. Dr. Stagner requested permission to use retired Oral Examination Vignettes for a research project. Dr. Rudd instructed Dr. Stagner to bring back a formal proposal at the June 13-14, 2002 Board meeting.
23. The Board moved into Item XXI, Planning for Future Board Meetings. Dr. Rudd appointed Board members to serve as Interim Chair of the following Committees until the appointment of new Board members:
1. Dr. Stagner - Rules Committee
 2. Dr. Rudd - Applications Committee
 3. Mr. Rendon - Compliance Committee
24. The meeting was adjourned at 11:50 a.m. by Dr. Rudd.