

Psychology Board Minutes
August 15 - 16, 2002

The Texas State Board of Examiners of Psychologists met in Austin, Texas on August 15 - 16, 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.; Arthur Hernandez, Ph.D.; Pauline A. Clansy, Ed.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.

THURSDAY, August 15, 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 were no public comments.
3. The Board moved into Executive Session at 9:01 a.m.
The Board returned to open session at 9:10 a.m.
4. . The Board moved into Item IV, Minutes.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPROVE THE MINUTES FROM THE JUNE 13-14, 2002 BOARD MEETING. THE MOTION CARRIED WITH DR. HERNANDEZ, DR. CLANSY, MS. SOKOLOSKY, MS. ESTRADA, MR. NOGUEIRA AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
The Board reviewed its Unfinished Business list from the June 13-14, 2002 Board meeting.
5. The Board moved into Item VI, Internal Audit Report and Staff Response.
 - A. Mr. Tim Schaffner, CPA, gave a review of the draft report of the Internal Audit on the Licensing Department.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. THOMASON TO APPROVE THE INTERNAL AUDIT DRAFT REPORT. THE MOTION WAS CARRIED WITH DR. HERNANDEZ, DR. CLANSY, MR. RENDON, MS. SOKOLOSKY, 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 2002. The Board determined that it had met its goals for 2002 and that some goals will be ongoing.
 - B. The Board discussed the ASPPB (CPQ).
 - i. Dr. Rudd delayed talking about CPQ until the discussion of the rules.

- ii. Dr. Rudd explained that CPQ is the Certificate of Professional Qualifications granted by the ASPPB which is the equivalent of reciprocity.
 - C. The Board discussed the Sunset Update which was attended by Dr. Stagner. TPA has established a task force for the Sunset. The Board discussed the issue of amending the Act to allow the agency to have subpoena power.
 - D. The Board discussed Future Issues.
 - i. Dr. Rudd noted the upcoming ASPPB Meeting and that Dr. Stagner has been nominated to be a Board member for that organization.
 - ii. Dr. Rudd stated that the APA is working hard to reduce post-doctoral experience required for licensure and that he has information on this issue.
 - E. The Board discussed Continuing Education.

Dr. Rudd stated his concern about continuing education credit and about how the Board handles this issue. The Board discussed this as a possible goal for next year.
 - F. The Board discussed HIPPA.

Dr. Rudd stated HIPPA (which will take effect April 14, 2003) will have implications for practice and will be more rigorous in certain areas than Board rules.
 - G. Dr. Rudd presented 10-year staff awards to David McCaig and Jeanette Waldrop.
- 7. The Board moved item Item VII, Executive Director's Report.
 - A. Ms. Lee reviewed Office Operations and Personnel Updates.
 - i. Ms. Lee advised the Board that Kourtney McDonald was leaving the agency. The agency has had a 23% turnover for Fiscal Year 2002.
 - B. Ms. Lee updated the Board on the Health Professions Council (HPC) and Small State Agency Task Force, which will convene again in September 2002.
 - C. Ms. Lee updated the Board on the status of the rulebook.
 - D. Ms. Lee briefed the Board on the Senate Special Committee on State Employee Compensation, chaired by Senator Jeff Wentworth.
 - i. Average state employee turnover rate is 18% per agency.
 - ii. State employee current buying power at the 1987 buying power.
 - iii. Rising dependent care insurance rates will further lower the state employees buying power.
 - iv. The turnover rate costs the state approximately \$1 billion dollars per year.

- E. Ms. Lee updated the Board on the Disaster Recovery Plan changes.
- F. Ms. Lee discussed proposed policy change to charge the licensee standard administrative costs for the Informal Settlement Conference. A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. STAGNER TO ACCEPT THE RATE CHARGE FOR THE INFORMAL SETTLEMENT CONFERENCE. THE MOTION CARRIED WITH DR. HERNANDEZ, DR. CLANSY, MS. SOKOLOSKY, MS. ESTRADA, MR. NOGUEIRA AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
- G. The Board reviewed letters from the following individuals:
- i. Pamela Jane Eckard, Ed.D. - regarding a change to credentials to reflect doctoral level.
The Board decided to place this item on the unfinished business list and to research defining "relevant" degree in Board rule §461.5.
 - ii. Nicole M. Ferrebee-Phillips - regarding clarification of licensure requirements.
A MOTION WAS MADE BY MR. HERNANDEZ AND SECONDED BY DR. STAGNER TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION WAS CARRIED WITH DR. HERNANDEZ, DR. CLANSY, MR. RENDON, MS. SOKOLOSKY, MS. ESTRADA, MR. NOGUEIRA AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
 - iii. Ruthie B. Goodwin-Ashby, Ph.D. - regarding supervision for licensure.
A MOTION WAS MADE BY MR. RENDON AND SECONDED BY MS. ESTRADA TO APPROVE THE DRAFTED RESPONSE. THE MOTION WAS CARRIED WITH DR. STAGNER, DR. HERNANDEZ, DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA AND MS. THOMASON VOTING IN FAVOR OF THE MOTION.
 - iv. Ken McTague, Ph.D. - regarding Stephen Ministries.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY DR. HERNANDEZ TO APPROVE THE DRAFTED RESPONSE. THE MOTION WAS CARRIED WITH DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA, MS. THOMASON, MR. RENDON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.
 - v. Ellen C. Verret, Ph.D. - regarding supervision issues.
A MOTION WAS MADE BY DR. HERNANDEZ AND

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

8. The Board moved into Item VIII, Legislative Committee.
 - A. Ms. Lee discussed a letter submitted to the Legislative Budget Board to increase the travel cap level.
 - B. Ms. Lee discussed Board Member representation at Budget Hearings.
9. The Board moved into Item X, Rules Committee.
 - A. The Board reviewed the Rule Proposals.
 - i. The Board reviewed proposed amendments to Board rule §463.13, Experienced Out-of-State Applicants.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. STANGNER TO PROPOSE THE AMENDMENTS TO BOARD RULE §463.13. THE MOTION WAS CARRIED BY DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA, MS. THOMASON, MR. RENDON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.
 - ii. The Board reviewed proposed amendments to Board rule §465.11, Informed Consent.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. STANGNER TO PROPOSE THE AMENDMENTS TO BOARD RULE §465.11. THE MOTION WAS CARRIED BY DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA, MS. THOMASON, MR. RENDON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.
 - iii. The Board reviewed proposed amendments to Board rule §465.12, Privacy and Confidentiality.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO PROPOSE THE AMENDMENTS TO BOARD RULE §465.12. THE MOTION WAS CARRIED BY DR. HERNANDEZ, DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA, MS. THOMASON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.
 - iv. The Board reviewed proposed amendments to Board rule §465.13, Personal Problems, Conflicts and Dual Relationships.
A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. THOMASON TO PROPOSE THE AMENDMENTS TO BOARD RULE §465.13. THE MOTION WAS CARRIED BY DR. HERNANDEZ, DR. CLANSEY, MS.

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

- v. The Board reviewed proposed amendments to Board rule §465.15, Fees and Financial Arrangements.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY DR. CLANSY TO PROPOSE THE AMENDMENTS TO BOARD RULE §465.15. THE MOTION WAS CARRIED BY DR. HERNANDEZ, MS. SOKOLOSKY, MR. NOGUEIRA, MR. RENDON, MS. THOMASON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.

- vi. The Board reviewed proposed amendments to Board rule §465.16, Evaluation, Assessment, Testing and Reports.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO PROPOSE THE AMENDMENTS TO BOARD RULE §465.16 WITH MODIFICATIONS. THE MOTION WAS CARRIED BY DR. HERNANDEZ, DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA, MS. THOMASON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.

- vii. The Board reviewed proposed amendments to Board rule §465.17, Therapy and Counseling.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO PROPOSE THE AMENDMENTS TO BOARD RULE §465.17. THE MOTION WAS CARRIED BY DR. HERNANDEZ, DR. CLANSY, MS. SOKOLOSKY, MR. NOGUEIRA, MS. THOMASON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.

B. The Board reviewed the Rule Adoptions.

- i. The Board reviewed the amendments to Board rule §463.14, Written Examinations.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY DR. CLANSY TO ADOPT THE AMENDMENTS TO BOARD RULE §463.14. THE MOTION WAS CARRIED BY DR. HERNANDEZ, MS. SOKOLOSKY, MR. NOGUEIRA, MR. RENDON, MS. THOMASON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.

- ii. The Board reviewed the amendments to Board rule §465.1, Definitions.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. NOGUEIRA TO ADOPT THE AMENDMENTS TO BOARD RULE §465.1. THE MOTION

WAS CARRIED BY DR. HERNANDEZ, DR. CLANSY, MS. SOKOLOSKY, MR. RENDON, MS. THOMASON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.

- iii. The Board reviewed the amendments to Board rule §465.9, Competency.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY DR. CLANSY TO ADOPT THE AMENDMENTS TO BOARD RULE §463.14. THE MOTION WAS CARRIED BY DR. HERNANDEZ, MS. SOKOLOSKY, MR. NOGUEIRA, MR. RENDON, MS. THOMASON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.

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

A MOTION WAS MADE BY MR. NOGUEIRA AND SECONDED BY DR. STAGNER TO PROPOSE THE RULE REVIEW OF CHAPTER 465, BOARD RULES §465.11 - 465.20. THE MOTION CARRIED BY DR. HERNANDEZ, DR. CLANSY, MS. SOKOLOSKY, MR. RENDON, MS. THOMASON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.

- D. The Board review the adoption of Rule Review of Chapter 465, Rules of Practice, Board Rules §465.1 - 465.10, and Chapter 473, Fees.

A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. THOMASON TO ADOPT THE RULE REVIEW OF CHAPTER 465, RULES OF PRACTICE, BOARD RULES §465.1 - 465.10, AND CHAPTER 473, FEES. THE MOTION CARRIED BY DR. STAGNER, DR. CLANSY, MS. SOKOLOSKY, MR. RENDON, MR. NOGUEIRA AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION.

10. The Board moved into Item XVIII, Enforcement Committee

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

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

- B. Ms. Barber presented the status report for the Board's review. The Board requested a corrected copy of the status report, due to the last item being moved from one fiscal year to the next fiscal year.

- C. Ms. Barber presented the Projected Time Schedule Changes for the Board's approval.

D. Mr. Norbraten presented the Agreed Orders and Proposals for Decision for the Board's approval.

- i. The Board reviewed Agreed Order No. 00-300- 2551 in the matter of Dale C. Godby, Ph.D.
A MOTION WAS MADE BY MR. NOGUEIRA AND SECONDED BY MS. ESTRADA TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR. CLANCY, MS. SOKOLOSKY, MR. RENDON, AND MS. THOMASON VOTING IN FAVOR OF THE MOTION. DR. STAGNER AND DR. HERNANDEZ ABSTAINED FROM VOTING.
(Ms. Thomason excused herself from the meeting at 3:58 p.m.)
- ii. The Board reviewed Agreed Order No. 00-409- 3213 in the matter of Gregorio Pina III, Ph.D.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. STAGNER TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR. CLANCY, MS. SOKOLOSKY, MR. NOGUEIRA, AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION. MR. RENDON ABSTAINED FROM VOTING. MS. THOMASON WAS ABSENT FROM VOTING.
- iii. The Board reviewed Agreed Order No. 02-612- 10672 in the matter of Christine Koch (Mullins), M.A.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY DR. CLANCY TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR. STAGNER, MR. RENDON, MS. SOKOLOSKY, MR. NOGUEIRA AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION. MS. THOMASON WAS ABSENT FROM VOTING.
- iv. The Board reviewed Agreed Order No. 00-359- 6060 in the matter of Mark R. Zitlin, Ph.D.
A MOTION WAS MADE BY DR. HERNANDEZ AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR. CLANCY, MR. NOGUEIRA AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION. DR. STAGNER AND MR. RENDON ABSTAINED FROM VOTING. MS. THOMASON WAS ABSENT FROM VOTING.
- v. The Board reviewed Agreed Order No. 02-632- 10780 in the matter of Elizabeth Richardson, Ph.D.
A MOTION WAS MADE BY DR. HERNANDEZ AND

SECONDED BY DR. STAGNER TO APPROVE THE AGREED ORDER. THE MOTION CARRIED BY DR. CLANCY, MS. SOKOLOSKY, MR. NOGUEIRA, MR. RENDON AND MS. ESTRADA VOTING IN FAVOR OF THE MOTION. MS. THOMASON WAS ABSENT FROM VOTING.

- E. Mr. Norbraten presented to the Board a Summary of Professional Reviews and the training material for new professional reviewers.
- 11. The Board moved into item XIX, Compliance Committee.
 - A. Mr. Norbraten reviewed the Agreed Order Compliance Report with the Board.
- 12. The Board moved into Item XII, Legal Matters/General Counsel Report.
 - A. Mr. Norbraten presented the Board with an APA Ethics draft and comparison with Board rules.
 - B. The Board reviewed the pending AG Opinion No. JC- 0535 in the matter of "recognized member of the clergy".
 - C. Mr. Norbraten briefed the Board on the ASPPB legal updates.
- 13. The meeting recessed at 4:40 p.m.

FRIDAY, August 16, 2002

- 14. The meeting was call to order at 9:03 a.m. by Dr. Rudd.
- 15. The Board moved into item XI, Budget Committee.
 - A. Ms. Lee discussed with the Board the Legislative Appropriations Request Detailed Review.
 - B. Ms. Lee discussed the Exceptional Item Request for the LAR. Ms. Sokolosky requested that Ms. Lee draft talking points for the LAR and exceptional items.
 - C. Ms. Lee reviewed the Quarterly Performance Report with the Board.
- 16. The Board moved into Item XIII, Technology Committee.
 - A. Ms. Lee reported no new items in regards to online renewals.
 - B. Ms. Lee discussed that the web statistics were up slightly due to the many changes made to the web site.
- 17. The Board moved into Item XIV, Oral Examination Committee.
 - A. Dr. Stagner proposed the use of the retired vignettes to create video material for training and/or research. Dr. Stagner and Dr. Hernandez will draft a detailed proposal to be discussed at the November 2002 Board meeting.
 - B. Ms. Lee discussed with the Board the possibility of using the new University of Texas Psychology Department as the facility for oral exams.
- 18. The Board moved into Item XV, Written Examination Committee.

- A. Dr. Rudd stated that there were no problems with the EPPP Computerization.
 - B. Dr. Rudd discussed with the Board the need for diversity for the Jurisprudence Exam Committee. Recommendation for this committee should be forwarded to Dr. Rudd or Mr. Rendon.
19. The Board moved into Item XX, Applications Committee.
- A. Mr. Norbraten presented Agreed Orders for eligibility for approval.
 - i. The Board reviewed Agreed Order No. 02-659- 12032 in the matter of Jane Yvonne Coleman, M.A.
 - ii. The Board reviewed Agreed Order No. 02-658- 12072 in the matter of Patricia Pisciotta, M.A.

A MOTION WAS MADE BY MR. NOGUEIRA AND SECONDED BY DR. HERNANDEZ TO APPROVE THE AGREED ORDERS. THE MOTION CARRIED BY DR. STAGNER, MS. SOKOLOSKY, MS. ESTRADA AND MS. THOMASON VOTING IN FAVOR OF THE MOTION. MR. RENDON WAS ABSENT FROM VOTING.
20. The Board moved into Item IX, Psychological Associate Advisory Committee Report.
- A. Ms. Sokolosky stated that the Board would be sending the PAAC chair a letter in regards to the proposed rules that were submitted by the PAAC Committee.
21. The Board moved into Item XXI, Planning for Quarterly Board Meetings.
- A. The Board discussed that the Board meetings would be tentatively scheduled for:
 - November 7-8, 2002
 - February 6-7, 2003
 - May 15-16, 2003
 - July 31 - August 1, 2003
 - November 6-7, 2003
 - February 5-6, 2004
 - May 13-14, 2004
 - August 5-6, 2004
22. The Board moved into Item XXII, Election of Board Officers.
- DR. STAGNER NOMINATED DR. RUDD FOR CHAIR, DR. RUDD DECLINED THE NOMINATION.
- MS. SOKOLOSKY NOMINATED DR. STAGNER FOR CHAIR.
- DR. STAGNER WAS ELECTED CHAIR BY ACCLAMATION. MR. RENDON WAS ABSENT FROM VOTING.
- MR. NOGUEIRA NOMINATED DR. CLANCY FOR VICE-CHAIR.

DR. STAGNER NOMINATED DR. HERNANDEZ FOR VICE-CHAIR, DR. HERNANDEZ DECLINED THE NOMINATION.

MS. SOKOLOSKY NOMINATED MR. RENDON FOR VICE-CHAIR. DR. CLANCY WAS ELECTED VICE-CHAIR BY DR. STAGNER, DR. HERNANDEZ, MR. NOGUEIRA, MS. ESTRADA AND MS. THOMASON VOTING IN FAVOR OF DR. CLANCY. MS. SOKOLOSKY VOTED FOR MR. RENDON. MR. RENDON WAS ABSENT FROM VOTING.

23. The meeting was adjourned at 10:56 a.m. by Dr. Rudd.