

## **Psychology Board Minutes March 29-30**

The Texas State Board of Examiners of Psychologists met in Austin, Texas, on March 29-30, 2001. The following Board members were in attendance: M. David Rudd, Ph.D., Chair; Brian H. Stagner, Ph.D., Vice-Chair; Barry E. Dewlen, Ph.D.; Karla L. Hayes; Betty H. Ray; Ruben Rendon, Jr., M.S.; Nelda Smith, M.A.; Stephanie Sokolosky, M.P.S.; and Emily G. Sutter, Ph.D. Also in attendance were Sherry L. Lee, Executive Director, and Brett Norbratten, General Counsel.

### THURSDAY, MARCH 29, 2001

1. The meeting was called to order at 9:00 a.m. by Dr. Rudd.
2. The Board moved to Item II, Public Comments.
  - o There was no public comment.

Dr. Rudd noted that Colonel Carl Settles from the National Register was in attendance and would present during the Chair's Report.

3. The Board moved to Item IV, Minutes

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. RAY TO APPROVE THE MINUTES FROM THE JANUARY 25-26, 2001 BOARD MEETING. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION.

4. The Board moved to Item V, Chair's Report.
  - o Dr. Rudd asked the Board if anyone had attended a professional meeting.
    - i. Dr. Sutter advised that she had attended the Texas Association of School Psychologists (TASP) Trainer's meeting in Houston, Texas.
    - ii. Dr. Stagner advised that he had attended the Association of State and Provincial Psychology Boards' (ASPPB) Examination Development Committee meeting in Baltimore, Maryland.
    - iii. Dr. Dewlen stated that he presented to Our Lady of the Lake University's psychology students in San Antonio, Texas, concerning licensing requirements.
    - iv. Dr. Rudd stated that he and Brett Norbraten had attended the mid-Winter meeting of the ASPPB in Biloxi, Mississippi.

Dr. Rudd informed the Board of two publications which were presented: California's booklet of disciplinary guidelines and the report from the Commission of Education and Training. He stated he would make these available for the Board's review at a later time

- v. The Board discussed attendance for upcoming professional meetings, deciding

that Dr. Sutter and Mr. Rendon would attend the TASP meeting in Houston, the first weekend in October. Dr. Rudd, Ms. Sokolosky, and Dr. Stagner will attend the Texas Psychological Association (TPA) meeting the same weekend.

- Dr. Rudd reviewed the Board's progress on the Fiscal Year 2001 Board Goals and Performance Measures.
  - The Board discussed a Licensed Specialist in School Psychology (LSSP) Educational Campaign, deciding to proceed with a mailing to educational facilities providing basic education on LSSP issues with regards to licensing requirements.
  - Dr. Settles of the National Register gave a presentation to the Board on the potential use of the Health Service Provider as the criteria for licensure in the state of Texas in order to streamline the application process and provide mobility.
    - i. Dr. Rudd suggested the Board defer the issue to Dr. Dewlen for discussion with the applications committee.
    - Dr. Rudd instructed Mr. Norbraten to research the legal implications of
    - ii. delegating verification functions, and bring back an opinion to the Board for a vote.
  - The Board reviewed its Unfinished Business list from the January 25-26, 2001 Board meeting.
5. The Board moved back to Item III, Executive Session, at 10:30 a.m. to seek legal advice pursuant to Title 5, Chapter 551, Government Code, §551.071. The Board returned to open session at 10:32 a.m.
6. The Board moved to Item VI, Executive Director's Report.
- Ms. Lee reviewed Office Operations and Personnel Updates with the Board.
    - i. Ms. Lee informed the Board that the agency's Investigation and Legal Assistant positions had been filled.
    - ii. Ms. Lee advised the Board of pending legislation regarding travel caps, the percentage cap on merit salary increases, and the E-portal.
  - Ms. Lee informed the Board that the agency is scheduled to begin its portion of the imaging process in May.
  - Ms. Lee reviewed with the Board the articles to be published in TSBEP's newsletter.
    - i. Mr. Norbraten discussed with the Board his article, Licensees in Exempt Facilities. The Board approved the article for publishing in the next TSBEP newsletter.
    - ii. The Board reviewed the article, LSSPs' Adherence to State and Federal

Education Laws, deciding to table the article until the Board reviews the rules and policies.

- 
- After discussion the Board directed that the rulebook be published as soon as possible, followed by the newsletter.
- The Board reviewed letters with regards to the following individuals:
  - i. James R. Dolby, Ph.D. - regarding working as a post-doctoral psychological resident in a school district under the supervision of a licensed psychologist who also holds the LSSP credential.

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

- ii. Lydia Gutierrez-Pilgrim - regarding Dr. Marshall Metze's request to renew his licensure with the Board.

After discussion the Board directed Mr. Norbraten to redraft the letter to Ms. Gutierrez-Pilgrim with the assistance of Dr. Rudd and Dr. Stagner, for the Board's review the following day.

- iii. Christabel B. Jorgenson - regarding the required internship in a formal internship or practicum.

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

- iv. Mitchell S. Nudelman, M.D. - regarding the proposal of allowing non-licensed persons to administer psychological tests to persons in the State of Texas which would then be evaluated by psychologists in other states.

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

- v. Stephen Shry, Ph.D. - regarding which psychological tests may be administered by nonlicensed persons.

A MOTION WAS MADE BY MR. RENDON AND SECONDED BY DR. STAGNER TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION CARRIED WITH DR. DEWLEN, MS.

HAYES, MS. RAY, MS. SMITH, MS. SOKOLOSKY, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION.

- vi. James R. Dolby, Ph.D. - regarding Dr. Dolby's request to reinstate his licensure with the Board.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MS. SMITH TO APPROVE THE DRAFTED RESPONSE WITH MODIFICATIONS. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MS. SOKOLOSKY, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION.

- vii. Cathy Parker - regarding the retirement of Joy Ann Leon's licensure with the Board.

A MOTION WAS MADE BY MS. RAY AND SECONDED BY DR. STAGNER TO APPROVE THE REQUEST AND RETIRE DR. LEON'S LICENSE IN GOOD STANDING. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION.

Dr. Stagner proposed developing a rule specific to circumstances surrounding retirement, for review at the June 14-15, 2001 Board meeting.

- o Ms. Lee advised the Board of policy changes for consideration.
  - i. Policy Statement on Disciplinary Guidelines and Compliance Monitoring

After discussion the Board decided to table the policy until after review from the Rules Committee.
  - ii. Policy Statement on Licensees who Engage in Sexual Conduct with Patients, Supervisees, Students, and Former Patients

After discussion the Board decided to table the policy until after review from the Rules Committee.
  - iii. Policy on Agreed Order Compliance

After discussion the Board decided to table the policy until after review from the Rules Committee.
  - iv. Policy Statement on Monitoring as a Required Term of an Agreed Order

After discussion the Board decided to table the policy until after review from the Rules Committee.
  - v. Policy Statement on Use of Supervised Students in the Private Practice of Psychology

A MOTION WAS MADE BY DR. DEWLEN AND SECONDED BY DR. SUTTER TO APPROVE THE POLICY WITH MODIFICATIONS. THE

MOTION CARRIED WITH MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

vi. Policy Statement on Americans with Disabilities Act

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

vii. Policy on Risk Management

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

viii. Policy on Safety Training

A MOTION WAS MADE BY DR. DEWLEN AND SECONDED BY DR. STAGNER TO REPEAL THE POLICY. THE MOTION CARRIED WITH MS. HAYES, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, DR. STAGNER, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION.

ix. Policy on Worker's Compensation Claims Administration

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

x. Policy on the Jurisprudence Exam

After discussion the Board decided to table the policy until after the review from the Written Examinations Committee.

7. The Board moved to Item VII, Publications/Public Information Committee.
  - o Ms. Smith informed the Board that the website statistics were unavailable for review.
  - o Ms. Smith noted that TSBEP's website now displays the link to the State of Texas website.
8. The Board moved to Item VIII, Psychological Associate Advisory Committee Report.
  - o Ms. Sokolosky informed the Board that the PAAC put together a comparison chart from all states on licensing requirements for Psychological Associates.
  - o Ms. Sokolosky explained to the Board that the PAAC will begin using the evaluation form to rate their progress after each meeting.

- The PAAC will be on the agenda for the June 14-15, 2001 Board meeting.
- Ms. Sokolosky informed the Board that the next meeting of the PAAC will be July 27, 2001.
- The PAAC decided to do an overall evaluation and a recap of its activities for the Board at the end of each year.
- Ms. Sokolosky informed the Board that the PAAC proposed adding a "Not Applicable" option to the seven tasks of number 5 of the PAAC evaluation.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY DR. SUTTER TO APPROVE THE SUGGESTED MODIFICATIONS OF THE PAAC EVALUATION. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION.

- The Board conducted their evaluation of the PAAC.
9. The Board moved into Executive Session at 1:25, to seek legal advice pursuant to Title 5, Chapter 551, Government Code, §551.071. The Board returned to open session at 1:40.
10. The Board moved into Item IX, Rules Committee.
- Dr. Sutter reviewed proposed amendments to Board rule §463.9, Licensed Specialist in School Psychology. After discussion the Board decided to eliminate the proposed amendments to section (e).

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY DR. DEWLEN TO PROPOSE THE AMENDMENTS TO BOARD RULE §463.9 WITH MODIFICATIONS. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- Dr. Sutter reviewed the withdrawal and reproposal of amendments to Board rule §463.11, Licensed Psychologist.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MS. RAY TO WITHDRAW AND REPROPOSE THIS RULE. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- Dr. Sutter reviewed proposed amendments to Board rule §465.6, Listings, Public Statements, Solicitations, and Specialty Titles.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MR. RENDON TO PROPOSE THE AMENDMENTS TO BOARD RULE §465.6. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- Dr. Sutter reviewed proposed amendments to Board rule §465.38, Psychological Services in the Schools.

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

11. The Board tabled Item IX, Rules Committee, and moved into Executive Session at 2:06 p.m., to seek legal advice pursuant to Title 5, Chapter 551, Government Code, §551.071. The Board returned to open session at 2:10 p.m.
12. The Board untabled Item IX, Rules Committee.
  - Dr. Sutter reviewed proposed amendments to Board rule §470.21, Disciplinary Guidelines.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY DR. DEWLEN TO PROPOSE THE AMENDMENTS TO BOARD RULE §470.21 WITH MODIFICATIONS. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MR. RENDON, AND MS. SMITH VOTING IN FAVOR OF THE MOTION. DR. STAGNER OPPOSED THE AMENDMENTS. MS. SOKOLOSKY ABSTAINED.

- Dr. Sutter reviewed the amendments to Board rule §461.15, Compliance with Act, Rules, Board Directives and Orders.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MR. RENDON TO ADOPT THE RULE AS PROPOSED. THE MOTION CARRIED WITH MR. RENDON, MS. HAYES, MS. RAY, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- Dr. Sutter reviewed the repeal of Board rule §463.30, Time Period for Appealing a Decision.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY DR. DEWLEN TO ADOPT THE REPEAL OF THE RULE AS PROPOSED. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR.

STAGNER VOTING IN FAVOR OF THE MOTION.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY DR. DEWLEN TO ADOPT THE WORDING OF THE ORDERS ADOPTING RULES §461.15 AND §463.30. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- Dr. Sutter reviewed the proposed amendments to Board rule §463.14, Written Examinations. After discussion, the Board decided to table the rule until after review from the Written Examinations Committee.
  - Dr. Sutter reviewed a request from Mary K. Damkroger, Ph.D., regarding official transcripts as referred to in Board rule §463.11. Dr. Damkroger proposed possible rewording of the rule, which the Board found to be unnecessary.
13. The Board untabled Item VI, Executive Director's Report to discuss Proposed Policies and the Newsletter.
- Policy Statement on Disciplinary Guidelines and Compliance Monitoring

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY DR. DEWLEN TO APPROVE THE POLICY. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION. DR. STAGNER ABSTAINS.

- Policy on Agreed Order Compliance

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY DR. DEWLEN TO REPEAL THE POLICY ON LICENSEES WHO ENGAGE IN SEXUAL CONDUCT WITH PATIENTS, SUPERVISEES, STUDENTS, AND FORMER PATIENTS AND ADOPT THE NEW POLICY ON AGREED ORDER COMPLIANCE. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- The Board discussed the newsletter article, LSSPS' Adherence to State and Federal Education Laws. After discussion, the Board decided to hold publication of the article until proposed rules affecting LSSPs are adopted.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY

MS. SMITH TO APPROVE THE ARTICLE WITH MODIFICATIONS. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

14. The Board moved into Item X, Budget Committee.

- Ms. Lee updated the Board on the status of the Legislative Appropriations Request (LAR).
  - i. Ms. Ray wrote a letter to Senator Troy Fraser of the Senate Finance Committee addressing the funding request of the agency. Senator Fraser responded to Ms. Ray stating that he would keep these items in mind when recommending funding.
- Ms. Lee reviewed the 2nd Quarter Performance Report with the Board.
  - i. Ms. Lee explained to the Board that the number of complaints resolved during the second quarter was low due to the high turnover in the investigations division.
  - ii. Ms. Lee updated the Board on the budget, informing them that the agency is on target for expenditures.

15. The Board moved into Item XI, Legal Matters.

- Mr. Norbraten gave a follow-up on Attorney General Opinion JC-321 (employees v. contractors), regarding employment with an exempt facility.
- Mr. Norbraten reported on the ASPPB meeting, and its discussion of disciplinary guidelines.
- Mr. Norbraten presented the Board with proposed revisions of the APA Ethics Code.

16. The Board moved into Item XII, Oral Examination Committee.

- Dr. Stagner reviewed with the Board the list of Potential Oral Examiners for the March 27, 2001, Oral Examination.

A MOTION WAS MADE BY MS. SMITH AND SECONDED BY MS. RAY TO APPROVE THE LIST OF POTENTIAL ORAL EXAMINERS FOR THE MARCH 27, 2001 ORAL EXAMINATION. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MR. RENDON, MS. SOKOLOSKY, DR. STAGNER, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION.

- Dr. Stagner reviewed the feedback the agency received concerning the last oral examination.

- Dr. Stagner informed the Board that he is in the process of updating the brochure for the Oral Examination.
- Ms. Lee explained to the Board that the agency is experiencing difficulty in scheduling the next Oral Examination due to room availability and the timing of the EPPP.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY DR. SUTTER TO AUTHORIZE THE STAFF TO RESCHEDULE THE ORAL EXAMINATION. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION.

- The Board decided to table Item XII, Oral Examinations Committee, until review of the vignettes.

17. The Board moved into Item XIII, Written Examinations Committee.

- Dr. Rudd updated the Board on the progress of the computerization of the EPPP.

i. Ms. Lee informed the Board that a notebook was assembled for the Licensing staff to review and discuss regarding the process of computerization of the EPPP.

- Dr. Rudd reviewed the Board's options pertaining to administration of the Jurisprudence Examination.

i. Dr. Rudd informed the Board that the Jurisprudence Examination will not be computerized at this time, nor in the near future.

ii. Dr. Rudd expressed his interest in administering the Jurisprudence Examination as a mail out, open book examination.

iii. The Board concluded that only one version of the Jurisprudence Examination would be necessary, as the exam will become open book.

iv. The Board reviewed the brochure on the Jurisprudence Examination, deciding to hold use of the brochure until the new policy concerning the examination is in effect.

- The Board reviewed the Policy on Jurisprudence Examination.

i. After discussion, the Board decided to begin the process of mailing the open book Jurisprudence Examination no later than September 1, 2001.

- 

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY DR. STAGNER TO ADOPT THE POLICY WITH MODIFICATIONS.

THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION.

- The Board reviewed the proposed amendments of §463.14, Written Examinations.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MS. SMITH TO PROPOSE THE AMENDMENTS TO §463.14. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- The Board reviewed the request from Harvey S. Levin, Ph.D., of the Baylor College of Medicine regarding obtaining permission of the Board for certain candidates to take the Jurisprudence Examination early. The Board decided that the new policy on the administration of the Jurisprudence Examination negates the request.

18. The meeting was recessed for the day at 5:22 p.m. by Dr. Rudd.

#### FRIDAY, MARCH 30, 2001

19. The meeting was called to order at 9:00 a.m. by Dr. Rudd.

20. Ms. Lee introduced the agency's new Clerk, Tony Bargas, to the Board

21. The Board reviewed the PAAC evaluation for approval.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MS. RAY TO APPROVE THE PAAC EVALUATION. THE MOTION CARRIED WITH MS. HAYES, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION. DR. DEWLEN WAS NOT PRESENT FOR THE VOTE.

22. The Board untabled Item XII, Oral Examination Committee, for review of the vignettes.

- Dr. Stagner reviewed the proposed modifications of School Vignette 13, Industrial Organization Vignettes 2, 3, and 4, and Neuropsychological Vignettes 1, 2, and 3. Dr. Stagner also proposed the Board retire Counseling Vignette 5, and Clinical Vignette 7.

A MOTION WAS MADE BY DR. STAGNER AND SECONDED BY MR. RENDON TO APPROVE THE PROPOSED MODIFICATIONS. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MS. SMITH, MS. SOKOLOSKY, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION. DR. DEWLEN WAS NOT PRESENT FOR THE VOTE.

23. The Board moved to Item XIV, Enforcement Committee.

- Ms. Vicky White, Enforcement Manager, reviewed the Status Report with the Board.
- Ms. White presented the Projected Time Schedule Changes for the Board's approval.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY DR. STAGNER TO APPROVE THE PROJECTED TIME SCHEDULE CHANGES. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION.

- Ms. White provided the Board a list of complaints and Continuing Education violations handled at the Staff Dismissal Meeting held on March 26, 2001. Included for retroactive dismissal were cases which were inadvertently excluded from the January 25-26, 2001, meeting of the Board. 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 MS. RAY AND SECONDED BY MR. RENDON TO RATIFY THE RECOMMENDATIONS OF THE STAFF ON THE CURRENT COMPLAINT AND CE CASES. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. SMITH, MS. SOKOLOSKY, DR. STAGNER, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION.

A MOTION WAS MADE BY DR. DEWLEN AND SECONDED BY DR. STAGNER TO RATIFY THE RECOMMENDATION OF THE STAFF FOR RETROACTIVE DISMISSALS. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. SUTTER VOTING IN FAVOR OF THE MOTION.

- Ms. White presented an example of a case dismissal letter for the Board's review and comments.
- The Board noted that it had no special actions, concerns, or reviews for the Enforcement Committee.
- The Board reviewed the Agreed Orders and Proposals for Decision.
  - i. Mr. Norbraten presented an example of a Preliminary Investigations letter for the Board's review.
  - ii. The Board reviewed Proposal for Decision, SOAH #520-01-0324.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MS. SMITH TO RATIFY THE PROPOSAL FOR DECISION. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MR. RENDON, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- iii. The Board reviewed Agreed Order No. 00-333-2825, in the matter of Warren Ketcham, Ph.D.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MR. RENDON TO APPROVE THE AGREED ORDER FOR WARREN KETCHAM, PH.D., AND TO AUTHORIZE THE CHAIR TO SIGN IT. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MS. RAY, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- iv. The Board reviewed Agreed Order No. 99-201-3539, in the matter of Sharry L. Tipps, Ph.D.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY DR. DEWLEN TO APPROVE THE AGREED ORDER FOR SHARRY L. TIPPS, PH.D., AND TO AUTHORIZE THE CHAIR TO SIGN IT. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MS. SMITH, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION. MS. SOKOLOSKY AND MR. RENDON ABSTAINED FROM VOTING.

- v. The Board reviewed Agreed Order No. 00-344-10222, in the matter of Rachna Varia, Ph.D.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MS. RAY TO APPROVE THE AGREED ORDER FOR RACHNA VARIA, PH.D., AND TO AUTHORIZE THE CHAIR TO SIGN IT. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

- vi. The Board reviewed Agreed Order No. 00-248-3980, in the matter of Barbara L. Matthews, Ph.D.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MR. RENDON TO APPROVE THE AGREED ORDER FOR BARBARA L. MATTHEWS, PH.D., AND TO AUTHORIZE THE CHAIR TO SIGN IT. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, AND MS. SOKOLOSKY VOTING IN FAVOR OF THE MOTION. DR. DEWLEN, MS. SMITH, AND DR. STAGNER ABSTAINED FROM VOTING.

- vii. The Board reviewed Agreed Order No. 00-368-1306, in the matter of Mary R. Sheehan, M.A.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MS. RAY TO APPROVE THE AGREED ORDER FOR MARY R. SHEEHAN,

M.A., AND TO AUTHORIZE THE CHAIR TO SIGN IT. THE MOTION CARRIED WITH DR. DEWLEN, MS. HAYES, MR. RENDON, MS. SMITH, MS. SOKOLOSKY, AND DR. STAGNER VOTING IN FAVOR OF THE MOTION.

viii. The Board reviewed Agreed Order No. 00-274-5067, in the matter of Deborah Voorhees, Ph.D. Dr. Stagner recused himself from the discussion.

A MOTION WAS MADE BY DR. SUTTER AND SECONDED BY MS. SOKOLOSKY TO APPROVE THE AGREED ORDER FOR DEBORAH VOORHEES, PH.D., AND TO AUTHORIZE THE CHAIR TO SIGN IT. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, AND MR. RENDON VOTING IN FAVOR OF THE MOTION. DR. DEWLEN AND MS. SMITH ABSTAINED FROM VOTING. DR. STAGNER RECUSED HIMSELF FROM THE VOTE.

- The Board reviewed the Investigation Process.
24. The Board moved into Item XV, Compliance Committee.
- Mr. Norbraten reviewed the Compliance Procedures with the Board.
  - Mr. Norbraten updated the Board on Compliance with Agreed Orders.
- i. The Board instructed Mr. Norbraten to bring examples of monitoring forms that the agency currently utilizes to the next Board meeting for review.
25. The Board untabled Item VI, Executive Director's Report.
- The Board reviewed the revised drafted response to Lydia Gutierrez-Pilgrim, regarding Dr. Marshall Metze's request to renew his licensure with the Board.

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

26. The Board moved into Item XVI, Applications Committee.
- Dr. Dewlen informed the Board that the agency's computer system was down and that the list of Applications for Board Review and/or Approval would not be available. Dr. Dewlen noted that all of the applicants up for approval have met the requirements of the Board, and a list of those applicants will be attached with the minutes.

A MOTION WAS MADE BY DR. DEWLEN AND SECONDED BY DR. SUTTER TO APPROVE THE APPLICANTS FOR LICENSURE. THE MOTION CARRIED WITH MS. HAYES, MS. RAY, MR.

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

- The Board reviewed letters with regards to the following individuals:
  - i. Nina Y. Rogers - regarding the official transcripts of Ms. Leslie Watson.

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

- ii. Ernest H. Harrell - regarding the appeal of Mary K. Damkroger, Ph.D. The Board states that the letter is now moot, as Dr. Damkroger is on the list of approved applicants.

27. The Board moved into Item XVIII, Legislative Committee.

- Ms. Hayes stated that she sent a letter to all state legislators regarding the Board's request for increased appropriations.
- Mr. Norbraten updated the Board on pending legislation.
  - i. Mr. Norbraten reviewed the Health Professions Council Bill Status report.
  - ii. Mr. Norbraten reviewed proposed Senate Bill 818: Prescription Privileges for Psychologists.
  - iii. Mr. Norbraten reviewed the ASPPB Draft Guidelines for Prescriptive Authority.

- The Board discussed general issues of the 77th Legislature.

Dr. Rudd presented his letter to Senator Rodney Ellis concerning the Board's exceptional item.

Ms. Lee thanked the Board for their support and letters to the State Legislators.

28. The Board moved into Item XVIII, Planning for Future Board Meetings.

- The Board reviewed the 2002-2003 Important Dates List.
  - i. The Board noted that the American Psychological Association (APA) Convention conflicted with the scheduled August 22-23, 2002 Board Meeting. After discussion the Board decided to reschedule the Board meeting for August 15-16, 2002.
- A MOTION WAS MADE BY MS. SMITH AND SECONDED BY DR. STAGNER TO APPROVE THE IMPORTANT DATES LIST WITH MODIFICATIONS. THE MOTION CARRIED WITH DR. DEWLEN,

MS. HAYES, MS. RAY, MR. RENDON, MS. SOKOLOSKY, AND  
DR. SUTTER VOTING IN FAVOR OF THE MOTION.

29. The meeting adjourned at 11:15 a.m.