



**Virginia Board of Psychology
Board Meeting Minutes
Tuesday, December 5, 2023 at 10:00 a.m.
9960 Mayland Drive, Henrico, VA 23233
Board Room 4**

- PRESIDING OFFICER:** J.D. Ball. Ph.D.
- BOARD MEMBERS PRESENT:** Aliya Chapman, Ph.D.
William Hathaway, Ph.D.
Norma Murdock-Kitt, Ph.D.
Gary Sibcy, Ph.D.
Danielle Spearman-Camblard, Psy.D.
Susan Brown Wallace, Ph.D. (joined the meeting at 12:00 p.m.)
- BOARD MEMBERS ABSENT:** Cheryl Snyder, Citizen Member
Christine Payne, BSN, MBA, Citizen Member
- BOARD STAFF PRESENT:** Jaime Hoyle, JD, Executive Director
Jennifer Lang, Deputy Executive Director
Meagan Ohlsson, Licensing Supervisor
Sharniece Vaughan, Licensing Specialist, Board of Social Work
- DHP STAFF PRESENT:** Erin Barrett, JD, Director of Legislative and Regulatory Affairs, Department of Health Professions
James Jenkins, RN, Deputy Director, Special Advisor to the Governor on Workforce
Matt Novak, Policy & Economic Analyst, Department of Health Professions
Arne Owens, Director, Department of Health Professions
- BOARD COUNSEL PRESENT:** James Rutkowski, Assistant Attorney General
- CALL TO ORDER:** Dr. Ball called the meeting to order at 10:06 a.m.
- MISSION STATEMENT:** Dr Ball read the mission statement of the Department of Health Professions and the emergency egress procedures.
- ESTABLISHMENT OF A QUORUM:** With six members present a quorum was established.
- ADOPTION OF AGENDA:** Dr. Ball requested to add a Board Chair Report to the agenda, following the Agency Director's Report, and to move the Unfinished Business to follow the Legislative and Regulatory Report. Dr. Chapman made a motion to adopt the agenda as amended. The motion was seconded and passed unanimously.
- PUBLIC ATTENDEES:** Brianna Boggs, Virginia Commonwealth University student
Abigail Adade, Virginia Commonwealth University student

PUBLIC COMMENT: None

APPROVAL OF MINUTES: The minutes from the September 19, 2023, Quarterly Board meeting were adopted as presented.

AGENCY DIRECTOR REPORT:

Mr. Owens provided the following information:

- DHP is looking at the business processes to ensure that DHP is operating as efficiently as possible.
- Beginning on December 11, 2023, the Enforcement Division will have a new Executive Director, Sarah Rogers.
- Healthcare workforce remains a priority for the Governor. The report from the healthcare workforce study is available to review on the agency's website. The next step is to develop a strategic plan based on the concerns addressed in the report.
- Mr. Jenkins and Ms. Hoyle are co-leaders for workstream five of the Governor's Behavioral Health Transformation "Right Help, Right Now" initiative.
- Mr. Owens thanked the board members for their hard work during the discussion of Master's level licensure.
- DHP has prepared a concept paper for discussion focusing on three key areas: master's level psychologist license, Qualified Mental Health Professionals (QMHPs), and school psychologists.
- DHP budget submitted.
- The agency is waiting to see which bills will be picked up for the 2024 General Assembly.

BOARD CHAIR REPORT:

Dr. Ball thanked board members who attended the Board of Psychology Conversation Hour with Virginia Academy of Clinical Psychologist (VACP) in late October 2023. He advised that the VACP has offered additional time to the board to present at the spring meeting, April 18-20 in Staunton, and solicited board member opinions about presenting at the spring meeting or waiting until Fall 2024. After discussion, it was determined that Drs. Chapman and Sibcy will attend with staff to present current board discussions. All Board members are invited to be present and to participate.

Dr. Ball discussed correspondence he received from The Association of State and Provincial Psychology Boards (ASPPB) leadership and other Chairs of Boards in US states and Canadian provinces. Dr. Ball advised that he would forward the questions asked about Board policy and regulations to Ms. Hoyle to address.

PRESENTATION:

Christina Buissett, HPMP Program Manager and Amy Ressler, HPMP Administrative Director "Health Practitioner's Monitoring Program".

The board members asked questions and Dr. Sibcy suggested that it would be helpful to have a flow chart with the process. The board members discussed the possibility of including this presentation at the VACP spring meeting, and these

speakers agreed to check their schedules for their availability.

**LEGISLATIVE AND
REGULATORY REPORT:**

Chart of Regulatory Actions

Ms. Barrett reviewed with the board the current regulatory actions for the Board of Psychology as of November 27, 2023. A copy of the chart was included in the agenda packet.

Completion of Periodic Review of Public Participation Guidelines Contained in 18VAC125-11.

Ms. Barrett reviewed the Public Participation Guidelines with the Board.

Motion: Dr. Ball made a motion, which Dr. Hathaway properly seconded, to retain 18VAC125-11 as is. The motion passed unanimously.

UNFINISHED BUSINESS:

Continued discussion regarding master's level psychologist:

Ms. Barrett indicated the agency will not initiate a bill this term for a master's level psychologist license, but it is important that the board discuss the basic framework for the requirements in the event that legislation is filed by an interested stakeholder. The board's working draft can be found in attachment "A".

Motion: After discussion, Dr. Ball made a motion to amend the language of the board's position regarding Master's level licensure to the essential elements of this attachment. Dr. Sibcy seconded the motion and it passed unanimously.

Dr. Chapman indicated that American Psychological Association (APA) is hoping to release a model of practice and education requirements for master level licensure by spring of 2024. If a bill is introduced, and passes, the board will need to consider the requirements for supervisors, number of supervised hours, examination cutoff score and representation on the board.

STAFF REPORTS:

Executive Director's Report:

Ms. Hoyle welcomed new board member, Dr. Danielle Spearman-Camblard, and a new staff member, Meagan Ohlsson, as the new licensing supervisor. Ms. Hoyle thanked Ms. Lenart for taking on the substantial workload of covering for the Board while it was without licensing staff, and she thanked Ms. Lang for successfully managing the increasing volume of discipline cases for all three of the Behavioral Sciences boards, with Ms. Evans as the only other full-time discipline staff person during this period. Ms. Hoyle also thanked Ms. Vaughan, who is a full-time licensing specialist for the Board of Social Work, for stepping in to help cover the Psychology Board meeting.

Ms. Hoyle indicated that the PSYPACT annual meeting agenda was included in the Board's meeting agenda packet, and briefly discussed the highlights from the PSYPACT meeting.

Discipline Report:

Ms. Lang discussed the discipline report included in the agenda. She noted the steady increase in cases received over the past few years for all three Behavioral

Science Boards (BSU) and advised that the volume is expected to increase once the three pending licenses for Art Therapists, Art Therapy Associates, and Music Therapists become effective under the Board of Counseling and Board of Social Work. With only two full-time discipline staff members, shared between the Boards of Counseling, Psychology, and Social Work, Christy Evans and Ms. Lang routinely review their processes to increase efficiency. In addition to the discipline cases, Ms. Evans also manages compliance monitoring and the annual continuing education audits. She advised that, with the increased workload, Ms. Evans trained over the past year to take on new responsibilities including, but not limited to, running informal conferences and completing probable cause reviews. Ms. Lang noted that Ms. Evans is doing an amazing job in her new role and thanked her for her dedication to the boards and the agency. Dr. Ball echoed these sentiments and added his thanks to Jaime Hoyle's work as Executive Director, including her work in representing the state to ASPBB and PSYPACT, for which she sits on several committees.

Cheryl Branch, a part-time audit specialist for the boards, has completed her training and is working on the continuing education audit for 2023.

Licensing Report:

Ms. Lang provided the licensing report for Ms. Lenart. A copy of the report given was included in the agenda packet. Ms. Lang welcomed Ms. Ohlsson to the board.

Ms. Lang indicated that the current technology utilized by staff continues to make a positive impact on the review process and communications with applicants and licensees.

Ms. Lang advised that Ms. Lenart is coordinating the Behavioral Science Boards Business Process Engineering efforts with IMPACT Makers which is currently focusing on improving efficiencies in the licensure process.

COMMITTEE REPORTS:

Regulatory Committee Report:

Dr. Chapman reported on the Regulatory Committee's discussions and action. The board discussed how the board can approve doctoral students to take part 1 of the EPPP exam once they have completed coursework. Some concerns were raised about this process. An early registration to take part 1 of the EPPP, with part 2 given later, after internship, is highly problematic for Virginia licensees. If our Board were to register students early for the exam, this would require early licensure registration, with associated fees and with a requirement to register people who might not stay in the state (meaning that these registrants would have incurred fees unnecessarily and would not necessarily remove themselves from registration here if they left to be licensed elsewhere). After further discussion, it was decided that Dr. Chapman and Ms. Hoyle will contact the ASPPB to determine whether ASPPB might serve as the registrant for the EPPP in lieu of the states and to inform ASPPB of Virginia's difficulties.

Board of Health Professions Report:

Dr. Wallace attended the Board of Health Professions meeting on October 27, 2023. She advised that, due to quorum issues, the board had not met in over a year. Dr. Wallace indicated that Governor Youngkin announced that he may support legislation to eliminate the Board of Health Professions. Ms. Barrett explained that the Board of

Health Professions does not develop any policies for the agency. It is unlikely that there will be any appointments to the Board of Health Professions until the Governor makes a decision.

RECOMMENDED DECISIONS:

Please refer to attachment "B".

NEXT MEETING DATE:

The next full board meeting is scheduled for February 27, 2024.

ADJOURNMENT:

Dr. Ball adjourned the meeting at 2:09 p.m.

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J.D. Ball, Ph.D., Chair Chairperson

3/4/2024

Date

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Jaime Hoyle, JD, Executive Director

3/5/2024

Date

Attachment A

Creation of midlevel behavioral health providers under the Board of Psychology

A BILL to amend and reenact § 54.1-3600 of the *Code of Virginia* and to amend the Code of Virginia by adding in Chapter 36 of Title 54.1 section numbered 54.1-3606.2 relating to the Board of Psychology; licensure of psychological practitioners.

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3600 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 36 of Title 54.1 a section numbered 54.1-3606.2, as follows:

§ 54.1-3600. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Applied psychologist" means an individual licensed to practice applied psychology.

"Board" means the Board of Psychology.

"Certified sex offender treatment provider" means a person who is certified to provide treatment to sex offenders and who provides such services in accordance with the provisions of §§ [54.1-3005](#), [54.1-3505](#), [54.1-3611](#), and [54.1-3705](#) and the regulations promulgated pursuant to these provisions.

"Clinical psychologist" means an individual licensed to practice clinical psychology.

"Practice of applied psychology" means application of the principles and methods of psychology to improvement of organizational function, personnel selection and evaluation, program planning and implementation, individual motivation, development and behavioral adjustment, as well as consultation on teaching and research.

"Practice of clinical psychology" includes, but is not limited to:

1. "Testing and measuring" which consists of the psychological evaluation or assessment of personal characteristics such as intelligence, abilities, interests, aptitudes, achievements, motives, personality dynamics, psychoeducational processes, neuropsychological functioning, or other psychological attributes of individuals or groups.
2. "Diagnosis and treatment of mental and emotional disorders" which consists of the appropriate diagnosis of mental disorders according to standards of the profession and the ordering or providing of treatments according to need. Treatment includes providing counseling, psychotherapy, marital/family therapy, group therapy, behavior therapy, psychoanalysis, hypnosis, biofeedback, and other psychological interventions with the objective of modification of perception, adjustment, attitudes, feelings, values, self-concept, personality or personal goals, the treatment of alcoholism and substance abuse, disorders of habit or conduct, as well as of the psychological aspects of physical illness, pain, injury or disability.
3. "Psychological consulting" which consists of interpreting or reporting on scientific theory or research in psychology, rendering expert psychological or clinical psychological opinion, evaluation, or engaging in applied psychological research, program or organizational development, administration, supervision or evaluation of psychological services.

"Psychological practitioner" means a person licensed pursuant to § 54.1-3606.2 to, within the domain of competency and specific masters degree level training of the licensee, diagnose and treat mental and emotional disorders by providing counseling, psychotherapy, marital therapy, family therapy, group therapy, or behavioral therapy, and to provide assessment and evaluation of an individual's intellectual or cognitive ability, emotional adjustment, or personality as related to the treatment of mental or emotional disorders.

"Practice of psychology" means the practice of applied psychology, clinical psychology or school psychology.

The "practice of school psychology" means:

1. "Testing and measuring" which consists of psychological assessment, evaluation and diagnosis relative to the assessment of intellectual ability, aptitudes, achievement, adjustment, motivation, personality or any other psychological attribute of

persons as individuals or in groups that directly relates to learning or behavioral problems that impact education.

2. "Counseling" which consists of professional advisement and interpretive services with children or adults for amelioration or prevention of problems that impact education.

Counseling services relative to the practice of school psychology include but are not limited to the procedures of verbal interaction, interviewing, behavior modification, environmental manipulation and group processes.

3. "Consultation" which consists of educational or vocational consultation or direct educational services to schools, agencies, organizations or individuals. Psychological consulting as herein defined is directly related to learning problems and related adjustments.

4. Development of programs such as designing more efficient and psychologically sound classroom situations and acting as a catalyst for teacher involvement in adaptations and innovations.

"Psychologist" means a person licensed to practice school, applied or clinical psychology.

"School psychologist" means a person licensed by the Board of Psychology to practice school psychology.

§ 54.1-3606.2. Licensure of psychological practitioners; independent practice.

A. It shall be unlawful for any person to practice as a psychological practitioner in the Commonwealth or use the title of licensed psychological practitioner unless he holds a license issued by the Board.

B. The Board shall establish criteria for licensure as a psychological practitioner, which shall include, but not be limited to, documentation that the applicant received a masters degree in psychology, clinical psychology, school psychology, or counseling psychology from a program accredited by the American Psychological Association, from a program equivalent to those accredited by the American Psychological Association as determined by the Board, or accredited by another national accrediting body approved by the Board.

C. Every psychological practitioner who meets the requirements of subsection B shall practice under the supervision of a clinical psychologist unless the requirements of subsection D are met.

D. A psychological practitioner may practice without supervision upon:

1. Successful passage of a national exam recognized by the Board; and

2. Completion of one year of full-time experience, as determined by the Board, of practice under supervision of a clinical psychologist.

Upon receipt of documentation of such examination and experience requirements and fee as established by the Board, the Board shall issue to the psychological practitioner a new license that includes a designation indicating that the psychological practitioner is authorized to practice independently.

A psychological practitioner authorized to practice without supervision pursuant to this subsection shall only practice within the scope of his clinical and professional training and limits of his knowledge and experience and consistent with the applicable standards of care.

E. The Board shall promulgate such regulations as may be necessary to implement the provisions of this chapter related to (i) application for and issuance of licenses to psychological practitioners, (ii) requirements for licensure as a psychological practitioner, (iii) standards of practice for psychological practitioners, and (iv) requirements and procedures for supervision of psychological practitioners.

2. That the Board of Psychology shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

ATTACHMENT B

CONSIDERATION OF RECOMMENDED DECISIONS

BOARD MEMBERS IN ATTENDANCE:

J.D. Ball, Ph.D., ABPP, LCP, Chairperson
Norma Murdoch-Kitt, Ph.D., LCP
Susan Brown Wallace, Ph.D., LCP, LSP

William Hathaway, Ph.D., LCP
Danielle Spearman-Camblard, Psy.D., LCP

CLOSED MEETING:

Dr. Hathaway moved that the Board of Psychology convene in closed session pursuant to §2.2-3711(A)(27) of the *Code of Virginia* to consider agency subordinate recommendations. He further moved that James Rutkowski, Jaime Hoyle, Jennifer Lang, Megan Ohlsson, and Sharniece Vaughan attend the closed meeting because their presence in the meeting was deemed necessary and would aid the Board in its consideration of the matters. The motion was seconded and passed unanimously.

RECOMMENDATIONS:

Jonathan DeRight, LCP

License No.: 0810005431

Case No.: 209504

Dr. DeRight did not appear before the board. The board considered the agency subordinate's recommendation to dismiss the case.

Megan Gliniecki, LCP

License No.: 0810005540

Case No.: 210956

Dr. Gliniecki did not appear before the board but submitted a written response. The board considered the agency subordinate's recommendation to place Megan Gliniecki's license on indefinite probation, with certain terms and conditions, for a period of not less than 6 months.

RECONVENE:

Dr. Hathaway certified that pursuant to §2.2-3712 of the *Code of Virginia*, the Board of Psychology heard, discussed or considered only those public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as identified in the original motion.

DECISION:

Dr. Wallace moved to accept the recommendations of the agency subordinate in the cases of Jonathan DeRight and Megan Gliniecki. The motion was seconded and passed unanimously.