

Virginia Board of Psychology

Minutes

January 10, 2006

- TIME AND PLACE:** The meeting was called to order at 9:40 a.m. on January 10, 2006 in conference room 3 of the Department of Health Professions, 6603 W. Broad Street, 5th floor, Richmond, Virginia.
- PRESIDING:** Ann Tolbert Benson, Ed.S., Vice Chair of the Board presided.
- MEMBERS PRESENT:** Jeffrey L. Clark, Ph.D.
Desideria S. Hacker, Ph.D.
Robert S. Falk, Ph.D.
Lorene Martin
Sonia H. Price, Esq.
Michael L. Stutts, Ph.D.
- MEMBERS NOT PRESENT:** Mary B. Gregerson, Ph.D.

Nadia Kuley, Ph.D.

STAFF PRESENT:

Evelyn B. Brown, Executive Director

Benjamin Foster, Deputy Executive Director

Joyce D. Williams, Administrative Assistant

Howard Casway, Esq. Senior Assistant Attorney

General

Elaine Yeatts, Senior Policy Analyst

OTHERS PRESENT:

Dr. Jennifer Morgan, Chair, Regulatory Affairs

Committee, Virginia Academy of Clinical

Psychologists

PUBLIC COMMENT:

There was no public comment.

APPROVAL OF MINUTES:

A motion was made by Dr. Clark and seconded by Dr. Hacker that the minutes of October 11, 2005 be approved with corrections. The motion passed unanimously.

CHAIR:

Ms. Benson welcomed new Board member, Michael L. Stutts, Ph.D.

REGULATORY ACTION:

Ms. Yeatts informed the Board that its revenue exceeds the expenditures by 10% and the Board will have to make adjustments in its fees to rectify this surplus.

It is recommended that the Board increase the fee for returned checks by \$10.00 and a make one-time reduction in the renewal fees by half.

- The return check fee for all of the professions regulated by the Board will change to \$35.00
- A one time reduction in the fee for renewal due on June 30, 2006 for holders of an active license for clinical psychologists, applied psychologists and school psychologists will be \$70.
- A one time reduction in the fee for renewal due on June 30, 2006 for holders of an inactive license for clinical psychologists, applied psychologists and school psychologists will be \$35

- A one time reduction in the fee for renewal due on June 30, 2006 for holders of an active license for school psychologists -limited will be \$35.
- A one time reduction in the fee for renewal due on June 30, 2006 for holders of an inactive license for school psychologists -limited will be \$17.
- A one time reduction in the fee for renewal due on June 30, 2006 for holders of the certification for sex offender treatment providers will be \$35.

After discussion a motion was made by Dr. Falk and properly seconded to accept the proposed fee changes. The motion was unanimously approved.

A motion was made by Dr. Clark and seconded by Dr. Hacker to amend the language in the reduction of renewal fees to add annual before the word renewal. The motion was unanimously approved.

EXECUTIVE DIRECTOR

Ms. Brown requested that the Board give her authority to enter consent orders on behalf of the Board.

A motion was made by Dr. Clark and seconded by Dr. Falk that the Board give the Executive Director authority to enter consent orders on behalf of the Board to expedite the process. The motion was unanimously approved.

**ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS
(ASPPB) FALL MEETING:**

Dr. Hacker reported on the various topics discussed at the ASPB annual meeting of Delegates held in Philadelphia Pennsylvania on October 19-23, 2005. Her report is attached as a part of the minutes for information.

COMMITTEE REPORTS:

Discipline

Ms. Benson reported that the Board has 17 complaints in Enforcement . She further reported that one case is at Board level and one case is in the Compliance Division for compliance tracking.

Credentials

Ms. Benson reported on the credentials reviewed by the Credentials Reviewers since the October 11, 2005 Board meeting. The report is attached as part of the minutes.

DEPUTY EXECUTIVE DIRECTOR:

Mr. Foster presented a final 2005 continuing education audit report. A total of 81 individuals regulated by the Board of Psychology were audited. Seventy-one of these were random audits and 10 were audited as a result of Confidential Consent Agreements (CCA's) issued to them during the last audit. The 10 individuals audited as a result of CCA's were in full compliance. After reviewing the 71 random audits it was determined that nine were not in compliance. Under the Board's guidance document on possible disciplinary and or alternative actions for non-compliance with continuing education requirements the following actions will be taken.

- Six licensees will be offered CCA's that will require compliance within 30 days and, they will be audited again in 2006.
- One individual requested an informal conference because the individual felt that the material submitted should count for CE purposes. That individual will be offered a CCA, in lieu of an informal conference. If the

individual chooses not to accept the CCA, the Board will then schedule an informal conference.

- Two licenses will be scheduled for informal conferences.

Mr. Foster discussed an individual's petition for rulemaking to include the publishing of a book or scholarly journal as an acceptable form of continuing education that was published in the Registrar. There was not public comment.

After discussion a motion was made by Dr. Hacker and seconded by Dr. Falk that the individual requesting this regulatory change in the continuing education requirements be notified that the petition to allow credit for continuing education for publishing a book or scholarly journal has been referred to the Board's Continuing Education Committee for study.

SENIOR ASSISTANT ATTORNEY GENERAL:

Mr. Casway discussed the concerns of the individuals employed by the Department of Juvenile Justice who attended the October 11, 2005 meeting and the results of his consultation with attorneys in the AG's office.

It was determined that the individuals from the Department of Juvenile Justice will be notified that the consultation has taken place and no action is to be taken by the Board of Psychology.

Mr. Casway reported that the Administrative Proceedings Division (APD) held a meeting to reiterate that notices for informal conferences should be in compliance with requirements for federal substance abuse and treatment records not to disclose treatment records without the client's consent.

Mr. Casway also advised the Board that language in the notices must be consistent with the consent order.

ADJOURNMENT:

The meeting adjourned at 11: a.m.

Ann Tolbert Benson, Ed.D., Vice Chair

Evelyn B. Brown, Executive Director

