

**VIRGINIA BOARD OF PSYCHOLOGY
REGULATORY COMMITTEE
DRAFT
MEETING MINUTES
July 13, 2020**

- TIME AND PLACE:** Consistent with Amendment 28 to HB29 (the Budget Bill for 2018-2020) and the applicable provisions of § 2.2-3708.2 in the Freedom of Information Act, the Committee convened the meeting virtually to consider such regulatory and business matters as are presented on the agenda necessary for the committee to discharge its lawful purposes, duties, and responsibilities.
- PRESIDING OFFICER:** John D. Ball., Ph.D., ABPP, Regulatory Committee Chair
- MEMBERS PRESENT:** Christine Payne, MBA
Herbert Stewart, Ph.D., ABPP
James Werth, Ph.D., ABPP, Board Chair
- STAFF PRESENT:** Debbie Harris, Licensing Manager
Jaime Hoyle, JD, Executive Director
Jennifer Lang, Deputy Executive Director
Charlotte Lenart, Deputy Executive Director of Licensing
Jared McDonough, Administrative Assistant
Sharniece Vaughan, Licensing Specialist
Elaine Yeatts, DHP Senior Policy Analyst
- CALL TO ORDER:** Dr. Ball, Chair, called the virtual WebEx meeting to order at 10:00 a.m.

Board members, staff, and members of the public introduced themselves.
- APPROVAL OF MINUTES:** Dr. Stewart made a motion, which Ms. Payne properly seconded, to approve the February 10, 2020 Regulatory Committee Meeting minutes. The motion carried unanimously.
- AGENDA:** Dr. Stewart moved, and Ms. Payne seconded, to accept the Agenda as written. Motion carried.
- PUBLIC COMMENT PERIOD:** There was no public comment.
- CHAIR REPORT:** No report.
- UNFINISHED BUSINESS:** **Reviewing Association of State Provincial Psychology Boards (ASPPB) provisions for closing a practice- Dr. Ball**
The Committee discussed the proposed draft guidance document on guidelines for closing a psychological practice. The Committee agreed that

it would be a helpful resource for licensees. The information should be used for guidance and should not be included in the Regulations. Ms. Yeatts reminded the Committee that section 54.1-2405 of the Code of Virginia states requirements for the transfer of patient records in conjunction with the closure, sale or relocation of practice; notice required. Dr. Werth moved to recommend to the full Board that this guidance document be considered in principle after the addition of any statutory laws and a link to the Association of State and Provincial Psychology Board (ASPPB) Guidelines for Closing a Psychology Practice dated April 2020. The motion passed. Staff will research the laws and amend the documentation to be reviewed at the next meeting.

Surveying Directors of Training about Examination for the Professional Practice of Psychology (EPPP) – Part 2- Dr. Ball

After a lengthy discussion, the Committee agreed to proceed with caution. Dr. Ball will continue to develop a list of stakeholder's names so that this subject can be discussed in the future. Dr. Werth indicated that the early adopter period ends on December 31, 2021 and it would be wise to wait until we have more information from the early adopter states before making a final decision.

Consideration of any waiver of experience requirements to spouse of active duty military- Elaine Yeatts

The Committee discussed the requirements for endorsement and the possibility of waiving the experience requirement in 18VAC125-20-42(6)(E)(1) that requires documentation of post-licensure active practice for at least 24 of the last sixty months immediately preceding licensure application for spouses of active military or spouses of veterans who left active-duty within the last year and who accompanies the applicant's spouse to the Commonwealth or an adjoining state or the District of Columbia. Dr. Ball moved to recommend to the full Board to authorize the Executive Director, in consultation with the Board Chair, to accept requests for a waiver of the experience requirements outlined in 18VAC125-20-42(6)(E)(1) for military spouses. Ms. Payne seconded the motion and the motion passed.

Update on Regulatory Advisory Panel (RAP) for Periodic Review of Regulations Governing Certified Sex Offender Treatment Providers- Jaime Hoyle

Ms. Hoyle stated she is scheduling an upcoming virtual Regulatory Advisory Panel (RAP) meeting in August or September. Since there are no members of the Board that hold a Certified Sex Offender Treatment Provider (CSOTP) she reached out to Board members from other Behavioral Science Boards to ask if they would participate in the RAP. She has recruited Maria Stransky, LPC, CSAC, CSOTP and Dr. Terry Tinsley, LPC, LMFT, CSOTP from the Board of Counseling and will reach out to Dr. David Boehm, LCSW of Virginia Sex Offender Treatment Association (VSOTA)

for his expertise in the meeting. Ms. Hoyle also asked for at least two volunteers from the Board to participate. Dr. Ball and Dr. Werth agreed to participate in the meeting.

NEW BUSINESS:

Consideration of Emergency Regulations for Implementation of Psychology Interjurisdictional Compact (PSYPACT)-Elaine Yeatts

Ms. Yeatts stated that the PSYPACT is scheduled to be effective January 1, 2021 and will require regulatory changes. The PSYPACT will need to adopt a Commissioner who represents the Virginia Board of Psychology. Dr. Ball motioned to recommend to the full Board to adopt the Emergency Regulations as presented with a minor change. Dr. Stewart seconded and the motion passed.

Discussion of 2021 General Assembly Legislation to require criminal background checks pursuant to PSYPACT- Elaine Yeatts

Ms. Yeatts stated that Section § 54.1-3606.2 of the Code of Virginia outlines the requirements for the PSYPACT. Article III. Home State Licensure(F)(4) *Requires an Identity History Summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the FBI, or other designee with similar authority, no later than 10 years after activation of the Compact.* Ms. Yeatts recommended the Board use similar language as implemented for the Physical Therapy and Nursing compacts. Dr. Ball motioned to recommend to the full Board to request the Agency include in their 2021 legislation packet the requirement for criminal background checks for the Board of Psychology. Ms. Payne seconded the motion and the motion passed.

Consideration of amendment or waivers to permit online continuing education-Elaine Yeatts

The Regulations state that *at least six of the required hours shall be earned in face-to-face or real-time interactive educational experiences. Real-time interactive shall include a course in which the learner has the opportunity to interact with the presenter and participants during the time of the presentation.* The Committee saw no need to make any changes to this requirement and asked staff to clarify in the FAQs that the real-time interactive could include Zoom, WebEx or any other video conferencing platform that allowed for real-time interactive training.

Consideration of any legislative or regulatory changes needed in case of future States of Emergency- Jaime Hoyle

After discussion, Dr. Werth motioned to recommend to the Full Board to request that the Agency put forth legislation to amend the Virginia Freedom of Information Act (FOIA) to allow all Board meetings to be held virtually with the exception of disciplinary meetings. Dr. Ball seconded the motion and the motion passed.

**Discussion of Inactive Residents in Psychology on License Look up-
Dr. Ball**

Dr. Ball recommended that the staff ensure that residents' registrations on license lookup are accurate and that staff notifies residents at the onset of the residency that they are required to complete their supervised experience in no more than three years.

**Comparison of ASPPB Social Media Guidelines and the Board's
Telepsychology Guidance document-Dr. Ball**

The Committee discussed both documents and deferred to a later meeting as to whether to keep the guidance documents separate, combined, or create a new document regarding Telepsychology and Social Media guidelines.

ADJOURNMENT:

The meeting adjourned at 12:05 p.m.

John D. Ball, Ph.D., ABPP, Chair

Date

Jaime Hoyle, J.D., Executive Director

Date