

**Virginia Board of Psychology
Board Meeting
Minutes
October 6, 2009**

- TIME AND PLACE:** The meeting was called to order at 10:10 a.m., on October 6, 2009, in Training Room 2 of the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia
- PRESIDING:** Desideria Hacker, Ph.D., Chair
- MEMBERS PRESENT:** Ann T. Benson, Ed.S.
Jeffrey L. Clark, Ph.D.
Robert Falk, Ph.D.
Desideria S. Hacker, Ph.D.
Nadia Kuley, Ph.D.
Herbert L. Stewart, Ph.D.
Michael L. Stutts, Ph.D.
- MEMBERS ABSENT:** Krishna Leyva
Sonya Price, Esq.
- STAFF PRESENT:** Sandra Ryals, Director, Department of Health Professions
Evelyn Brown, Executive Director
Howard Casway, Sr. Assistant Attorney General
Elaine Yeatts, DHP Senior Policy Analyst
Patricia Larimer, Deputy Executive Director
Diana Pollick, Operations & Compliance Manager
- ORDERING OF AGENDA:** Elaine Yeatts requested that the Regulatory Committee Report be moved to accommodate her presence at another Board meeting. Her request was approved.
- PUBLIC COMMENT:** **Jennifer Morgan, Psy.D., Regulatory Affairs Chair, VPA/VACP:**
Dr. Morgan announced that VPA's *Conversation Hour with the Board of Psychology* would be held on Thursday, October 22, 2009 at 4:00 p.m. at the Richmond Sheraton. Ms. Brown said that she and Ms. Larimer would attend.
- APPROVAL OF MINUTES:**
Dr. Clark made a motion to approve the April 7, 2009 minutes with noted corrections. The motion was seconded and carried.
- DIRECTOR'S REPORT:** **SANDRA RYALS:** Ms. Ryals provided the following information:
- **Key Performance Measures:** Ms. Ryals distributed data from the fourth quarter of 2009 which reflected a 90% performance rating for patient care disciplinary cases resolved within 250 days for the Department as a whole. She noted that the Board of Psychology is consistently

meeting, or surpassing, the 250 day goal for closing patient/client care cases.

She also reported that the Board of Psychology has consistently processed applications within 30 days, which reflects a 100% rating for this performance measure. The customer service survey, completed by new licensees, reflected 96.7% satisfaction rating relating to application and licensure processes.

- Ms. Ryals said that the previous report for the Board of Psychology projecting a renewal fee reduction for 2010 will be re-evaluated and an update on the budget will be provided at the Board's February 2010 meeting.
- Ms. Ryals discussed the Joint Commission on Healthcare-HB2405 which authorizes the collection of data to track shortages of healthcare professionals, particularly in remote and underserved areas of the state. The first goal is to complete the data collection for physicians and nurses, and then the data collection will be expanded to include physicians' assistants and nurse practitioners. Research to determine the availability of clinical psychologists in remote and underserved regions will subsequently be included in the data collection report expected in 2011.

**EXECUTIVE
DIRECTOR'S
REPORT:**

EVELYN BROWN: Ms Brown reported the following:

- Interviews are scheduled for October 8 & 9, 2009, for the administrative assistant position for the Board of Psychology.
- New Regulations Governing the Certification of Sex Offender Treatment Providers, implementing a requirement for continuing education and amending supervised experience requirements, became effective July 8, 2009.
- Regulations Governing the Practice of Psychology, which eliminated Board approved continuing education provider certificates, became effective September 2, 2009. Current Board approved providers will be permitted to provide CE under the Board certificate until June 30, 2010, when the certificates will expire, after which they will need to seek approval to provide CE from one of the designated CE providers listed in the regulations. All CE provider

certificate holders have been notified of the regulatory change.

- The Professional Exam Service (PES) has informed all psychology boards that fewer questions will be included on the EPPP exam but the validity of the exam will not be affected.
- The Association of State and Provincial Psychology Boards (ASPPB) requested that board administrators respond to a survey on residency requirements. Ms. Brown will respond to the survey and include information about the proposed amendments to the residency requirements to be included in proposed regulations.
- Ms. Brown noted that a few complaints have been received from applicants about the required completion of the Coursework Outline form which is part of the application for licensure. The applicants indicated that the information requested on the form simply duplicates information included on the transcripts. Discussion followed. It was the consensus of the Board that the completed Coursework Outline form must be submitted with applications. It was recommended that a Guidance Document be posted on the Board's web page stating that information required on this form must be provided and that an application for licensure will not be considered complete without a completed Coursework Outline form.
- Ms. Brown discussed another concern raised by a few applicants relating to the time it takes for an official transcript to reach the Board office resulting in delays in beginning their residencies. Discussion followed. Dr. Stewart moved that staff draft a Guidance Document stating that the effective "start date" of the approved residency will be the date the Registration of Residency is received in the Board office accompanied by either an official transcript including the date the doctoral degree was awarded, or, an official letter from the program chair stating that the graduate has completed all degree requirements, but that the degree has not been conferred due to the university's degree awarding processes.

**ADOPTION OF
EXEMPT
REGULATIONS &
REGULATORY**

ELAINE YEATTS: Ms. Yeatts reported the following:

- **Chapter 85 of the Code of Virginia** allows for the electronic submission of applications which will be implemented soon by

**COMMITTEE
REPORT:**

the Department of Health Professions.

Regulation 18VAC125-20-41(A)(2) states that “a completed application must be received with all documents in one package.” Ms. Yeatts advised that the language in the current regulations will need to be amended to reflect the acceptance of the electronic application and that all documents will not need to be submitted in one package. Dr. Clark moved to amend the regulations. Dr. Falk seconded the motion, and the motion passed.

- Ms. Yeatts discussed the list of Guidance Documents currently posted on the Board’s webpage recently reviewed for relevance by the Regulatory Committee. Dr. Clark moved to accept the recommendation of the Regulatory Committee to repeal those Guidance Documents which are outdated, no longer needed, or have been included in regulatory language. Dr. Stewart seconded the motion, which passed unanimously. Dr. Clark moved to accept the recommendation of the Regulatory Committee to revise Guidance Documents that are still pertinent but need revision. Ms. Benson seconded the motion, which passed unanimously. Dr. Clark further moved to adopt Guidance Document 125-3.5, as reformatted. Dr. Stutts seconded the motion, which passed unanimously.
- Ms. Yeatts presented a *Petition for Rulemaking* submitted by Mary E. Olbrisch, Ph.D. requesting that the Board allow a Resident to count the hours of experience obtained while securing necessary documentation for the application and awaiting Board approval. Dr. Clark made a motion to deny the *Petition for Rulemaking*. Dr. Falk seconded the motion. Discussion followed. Ms. Brown explained that once the *Registration of Residency* is approved by the Credentials Reviewer the date residency begins is the date that the *Registration of Residency* is received in the Board office. The Resident is notified, by letter, of the approved residency and start date. The motion to deny the *Petition for Rulemaking* passed unanimously.
- Ms. Yeatts reported on the Regulatory Committee’s proposed amendments to the *Regulations Governing the Practice of Psychology*, which includes a provision that “pre-internship practicum training may satisfy a portion of

the postdoctoral residency requirement". Other recommended amendments to the regulations include clarifying language where the need was identified, changes in some definitions, and clarification of the requirements for licensure by examination and endorsement, supervised experience, annual renewal, and amendments to the *Standards of Practice*.

Dr. Stutts moved to accept the recommendations of the Regulatory Committee and proposed that a NOIRA be published to begin the regulatory process. Dr. Clark seconded the motion, which passed unanimously. The Board thanked Dr. Stutts for his leadership and acknowledged the Regulatory Committee's efforts which included extensive research, several meetings, the review of public comment and in depth discussions about the options to obtain appropriate supervised experience necessary to prepare individuals to competently practice clinical psychology.

**COMMITTEE
REPORTS:**

Board of Health Professions – Michael Stutts, Ph.D:

Dr. Stutts reported that there is an ongoing review of emerging health professions.

Continuing Education Committee – Desideria Hacker, Ph.D:

Dr. Hacker reported that October 9, 2009 was the deadline to have all submissions received from those licensees who were audited. Twenty-four licensees were audited and twenty were in compliance. Information from four licensees with CE deficiencies will be reviewed to determine if disciplinary action is warranted.

Discipline Committee – Ann Benson:

Ms. Benson reported that four informal conferences have been held since the last Board meeting, eight complaints are in the investigation stage, four cases are at Board level and two formal hearings need to be rescheduled. Ms. Larimer stated the available dates, at present, are January 12 and January 19, 2010. Ms. Larimer will confirm the date when feedback is received regarding Board members' availability.

OLD BUSINESS:

NONE

NEW BUSINESS:

2010 Meeting Dates:

February 16, 2010

May 11, 2010

August 10, 2010

November 9, 2010

ADJOURN: The meeting adjourned at 1:00 p.m.

Desideria Hacker, Ph.D., Chair

Evelyn B. Brown, Executive Director