

**VIRGINIA BOARD OF PSYCHOLOGY**  
**Quarterly Board Meeting**  
**Minutes**  
**January 22, 2019**

The Virginia Board of Psychology ("Board") convened for a quarterly board meeting on January 22, 2019 at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, Henrico, Virginia, Board Room 3.

**Board Members Present:**

Herbert Lee Stewart, Ph.D., LCP, Chairperson  
Andrea Bailey, Citizen Member  
John D. Ball, Ph.D., ABPP, LCP  
Peter Sheras, Ph.D., ABPP, LCP  
Rebecca Vauter, Psy.D., ABPP, LCP  
Susan Brown Wallace, Ph.D., LCP, LSP  
James Werth, Jr., Ph.D., ABPP, LCP

With seven (7) member present, a quorum was established.

**Board Members Absent:**

None

**Staff Present:**

Christy Evans, Discipline and Compliance Case Specialist  
Jaime Hoyle, Executive Director (\*arrived late at 12:05 p.m.)  
Jennifer Lang, Deputy Executive Director  
Elaine Yeatts, Senior Policy Analyst

**Board Counsel Present:**

James Rutkowski, Assistant Attorney General  
Allyson Tysinger, Senior Assistant Attorney General

**Call to Order:**

Dr. Stewart called the meeting to order at 10:06 a.m. and read the board's mission statement and emergency egress procedures. Board members, staff and members of the public introduced themselves.

**Order of the Agenda:**

The board accepted the agenda as presented.

**Approval of Minutes:**

The minutes from the October 30, 2018 board meeting were considered and discussed. Dr. Werth made a motion to accept the minutes, as amended. The motion was seconded by Dr. Vauter and passed with a unanimous vote.

**Public Comment:**

Comments were provided by members of the public and included personal experiences with conversion therapy, the need to clearly define conversion therapy, and the concern that conversion therapy is not evidence-based treatment. One individual noted that as far back as 1973, the American Psychiatric Association indicated that homosexuality was not to be classified as a mental disorder. In addition, Jennifer Morgan provided the attached statement (Attachment A) on behalf of the Virginia Academy of Clinical Psychologists ("VACP").

Dr. Morgan also advised the board that the VACP's Spring Conference will be held in Newport News on April 18-19, 2019 and the board's Conversation Hour has been scheduled for 3-5pm on April 18.

**Agency Report:**

Ms. Yeatts advised the board that DHP's Director, David Brown, the Chief Deputy Director, Barbara Allison-Bryan, and the board's Executive Director, Jaime Hoyle, were at the General Assembly and were unable to attend the meeting.

**Chair Report:**

Dr. Stewart noted that he attended the first session of the ASPPB Board of Directors meeting in December. He will report additional information to the board in the future, as needed.

**Legislative and Regulatory Actions:**

• ***Regulatory Actions:***

Ms. Yeatts stated that the board's periodic review is in the Governor's office and will likely not be considered until after the General Assembly session.

• ***Legislative Actions:***

Ms. Yeatts informed the board of the following House and Senate Bills that may be of interest:

**HB1971** Health professions and facilities; adverse action in another jurisdiction.

**HB2228** Nursing and Psychology, Board of; health regulatory boards, staggered terms.

**HB2556** Health Professions, Dept. of, and health regulatory boards; information obtained in an investigation.

**HB2693** Qualified mental health professionals; regulations for registration.

**SB1106** Physical therapists & physical therapist assistants; licensure, Physical Therapy Licensure Compact

**SB1547** Music therapy; Board of Medicine to regulate practice.

**SB1773** Health regulatory boards; conversion therapy.

**SB1778** Health regulatory boards; conversion therapy.

• ***Consideration of Policy Action on Conversion Therapy:***

Ms. Yeatts and Dr. Stewart reported on the outcome of the interdisciplinary workgroup on conversion therapy, which was previously requested by the Board of Psychology and which convened at DHP on October 5, 2018 by Dr. Brown.

A motion was made by Dr. Ball to move forward with a guidance document, and to initiate regulatory action, to make clear the board's position that conversion therapy with minors is a violation of standards of practice. The motion was seconded by Dr. Wallace and it passed with a unanimous vote.

After review of a draft guidance document addressing conversion therapy, Dr. Vauter moved to change "same" to "any". The motion was seconded by Dr. Ball and it passed with a unanimous vote.

Additionally, Dr. Ball moved to add "in any direction" to the end of the first paragraph in the draft guidance document. The motion was seconded by Ms. Bailey and it passed with a unanimous vote.

A motion was made by Dr. Sheras to accept the language in the draft guidance document, as amended. The motion was seconded by Ms. Bailey and it passed with a unanimous vote.

Ms. Bailey made a motion to delegate to the board Chairperson and the Chairperson for the Regulatory Committee the authority to review and approve the final version of the guidance document for publication. Dr. Vauter seconded the motion and it passed with a unanimous vote.

### Staff Reports

- ***Executive Director's Report***

Ms. Lang presented the most recent Expenditures and Revenue Summary (included in the meeting agenda packet). She further advised the board members that Jennifer Little, a citizen member of the board, recently resigned and that we will provide an update once we are notified of a new appointment to that seat.

Ms. Lang also reminded board members that the Conflict of Interest filing is due by February 1, 2019.

- ***Discipline Report***

Ms. Lang directed the board to the discipline report provided in the meeting agenda packet.

Ms. Evans provided the board with a compliance update and reported that she is currently monitoring three (3) licensees for compliance with terms of board orders.

Ms. Evans further provided an update on the 2018 Continuing Education Audit. She advised that 37 licensees were audited for the 2017-2018 renewal cycle. Of the audits, 27 licensees met the requirements, one (1) licensee was issued an advisory letter and three (3) are still in the review process. Six (6) licensees are out of compliance with the renewal requirements and will be processed based on the board's guidance document.

- ***Licensing Report***

Ms. Lang directed the board to the licensing report provided in the meeting agenda packet, and answered questions from board members.

### Board Counsel Report:

None.

### Committee and Board Member Reports:

- ***Board of Health Professions Report:***

Dr. Stewart reported that the Board of Health Professions continues to work on the opioid epidemic. He advised board members that if they have any suggestions or ideas, to follow up with him. Dr. Werth reported that he had a phone conversation with a regional SAMHSA administrator and noted that they are willing to work with the

behavioral health boards for additional training opportunities. Ms. Hoyle will follow up with the SAMHSA contact to advise her of this board's interest.

The Board of Health Professions voted to accept the recommendation of the Regulatory Research Committee to license Art Therapists in Virginia. However, Ms. Hoyle noted that to date, there is not a pending Bill in the General Assembly for Art Therapists.

- ***Legislative/Regulatory Committee Report:***

Dr. Werth reported that the January meeting of the Regulatory Committee was canceled. The Committee will meet next on April 1, 2019, prior to the next Quarterly Board Meeting.

**Unfinished Business:**

None.

**New Business:**

Dr. Wallace advised the board of another pending House Bill (HB1735) to establish the Commission on Student Behavioral Health as a legislative branch commission.


**Next Meeting:**

The next Quarterly Board Meeting will be held on April 2, 2019.

**Adjournment:**


The meeting adjourned at 2:06 p.m.

*The minutes were approved during the April 02, 2019  
Board of Psychology meeting, as written.*

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Herbert Lee Stewart, Ph.D., LCP, Chairperson  
Virginia Board of Psychology

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Jaime Hoyle, JD, Executive Director  
Virginia Board of Psychology



# VACP

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The Virginia Academy of Clinical Psychologists recommends the following related to "conversion therapy" or engaging in sexual orientation change efforts:

Significant research by both the American Psychological Association and the American Psychiatric Association substantiate that "conversion therapy" should be prohibited in that it has the potential to be harmful to patients.

- "Conversion therapy" or efforts to change a person's sexual orientation shall mean any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender, especially for persons under the age of eighteen.

"Conversion therapy" does not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

"Conversion therapy" should be considered as a violation of standards practice in that rendering such services is considered as having the potential of jeopardizing the health and well-being of patients.

Above should be promptly adopted, as an emergency regulation if possible, and that this regulatory policy be adopted so that it applies to any person licensed by a regulatory Board of the Virginia Department of Health Professions who performs counseling as part of their training; including those professions licensed by the Boards of Psychology, Counseling, Nurses and Medicine (meaning all such Boards would adopt such.)

The Virginia Board of Psychology proceed immediately with the promulgation of such regulation as to set an example for other Boards under the Department.

(Note: This policy, if adopted as regulations, would NOT apply to exempt persons. Exempted are "non profit" (pastoral care) and clergy as they are exempt from licensure requirements relating to counseling services.)

Adopted April 18, 2018  
Board of Directors  
Virginia Academy of Clinical Psychologists