

Virginia Board of Psychology
Minutes – Quarterly Board Meeting
April 2, 2019

Time and Location

The Virginia Board of Psychology (“Board”) convened for a quarterly board meeting on April 2, 2019 at the Department of Health Professions (“DHP”), 9960 Mayland Drive, Henrico, VA 23233 in Board Room 3.

Presiding

Herbert Stewart, Ph.D., LCP, Chair

Board Members Present

John 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, Vice-Chair

Board Members Absent

Andrea Bailey, Citizen Member

Staff Present

Jaime Hoyle, JD, Executive Director
Jennifer Lang, Deputy Executive Director
Elaine Yeatts, Sr. Policy Analyst

Board Counsel Present

Erin Barrett, Assistant Attorney General
Allyson Tysinger, Senior Assistant Attorney General

Call to Order

Dr. Stewart called the meeting to order at 10:05 a.m. and read the mission statement and emergency evaluation instructions. Board members, staff, and members of the public introduced themselves.

Approval of Minutes

The Board considered and discussed the minutes from the January 22, 2019 board meeting. Dr. Sheras made a motion to accept the minutes. Dr. Wallace seconded the motion, and the motion passed unanimously.

Ordering of Agenda

Dr. Stewart made a motion, which Dr. Ball seconded, to accept the agenda with minor changes. The motion passed unanimously.

Public Comment

Jennifer Morgan, with the Virginia Academy of Clinical Psychologists (VACP), reminded board members that the VACP would hold its Spring Conference in Newport News on April 17-19. The Board Conversation Hour will take place from 3-5 p.m. on April 18. VACP will hold the Fall Conference in Northern Virginia on September 20-22.

Consideration of Public Comment on Guidance Document 125-9: Practice of conversion therapy

The Board considered and discussed the public comment received on the proposed guidance document on the practice of conversion therapy. Dr. Vauter made a motion, which Dr. Ball seconded, to adopt the guidance document as written. The motion passed unanimously.

Additionally, Dr. Ball made a motion, which Dr. Vauter seconded, to delegate to staff the authority to draft a written response to the public comment for approval by the Attorney General's office and additional input by board members, and to delegate authority to the board chair for final review and approval of the statement. The motion passed unanimously. The Guidance Document becomes effective after 30 days, on May 2, 2019.

Agency Director Report, David E. Brown, DC

Dr. Brown advised the Board that the agency is moving forward with a new website that will start with the Board of Nursing. This new website will make it easier for applicants and licensees to navigate through applicable forms and notices.

He provided updates into legislation that affects DHP, which included the requirement for the Board of Health Professions to complete a study on the need to regulate music therapists, as well as legislation related to the disposal of drugs that the Board of Pharmacy will address.

Dr. Brown also noted that, in addition to conversion therapy, the agency has been busy with the issue of Cannabidiol (CBD) oil. He noted that the approval of CBD oil in Virginia, under the regulation of the Board of Pharmacy, allows the Board of Pharmacy to award provisional permits to five companies (one in each health district). The Board of Pharmacy regulates the type of CBD oil that is derived from marijuana, and it should be available by the end of the year. The Federal Farm Bill allows for the production and sale of CBD oil that is derived from hemp, and it is currently available in stores, which is causing confusion for the public. The CBD oil derived from hemp is not regulated and may not be labeled correctly. What consumers may believe is CBD oil from hemp, could actually be CBD oil from marijuana, or it could contain none of what it claims. The Board of Pharmacy is working to address these concerns.

Dr. Brown thanked board members for agreeing to stay after the meeting to complete probable cause reviews on disciplinary cases.

Chair Report, Herbert Stewart

Dr. Stewart reported that he, along with Dr. Vauter and Dr. Wallace, would attend the Association of State and Provincial Psychology Boards (ASPPB) conference in Santa Fe next week.

There was a brief discussion about the Examination for Professional Practice in Psychology (EPPP) exam process and the Psychology Interjurisdictional Compact (PSYPACT), and it was determined that these matters will be referred to the next Regulatory Committee meeting.

Legislation and Regulatory Actions, Elaine Yeatts

Chart of Regulatory Actions

Ms. Yeatts updated the Board on pending regulatory action. The action for conversion therapy is in the NOIRA stage and at the Secretary's office for review. The periodic review for Chapter 20 is in the proposed stage and is currently in the Governor's office for review.

Report of 2019 General Assembly

Ms. Yeatts provided an update of a summary of bills with some relation to this Board.

Conversion Therapy Guidance Document

Ms. Yeatts advised that she would respond to the comments and repost the Guidance Document on Regulatory Town Hall. The Guidance Document will go into effect after 30 days.

Staff Reports

Executive Director's Report, Jaime Hoyle, JD

Ms. Hoyle provided the Board with updated budget information and a count of current licensees and applications received in 2018.

She advised that the Board should have new appointees before the next meeting to fill vacant seats. In addition, she advised that elections for Board Chairperson and Vice-Chairperson would occur at the July board meeting.

Ms. Hoyle advised that the agency is working on a process to issue a one-time license to licensees, rather than printing a new license to individuals at each renewal period. DHP has chosen the Boards of Counseling, Psychology, and Social Work to pilot this new process. As of May 1, 2019, the Boards will issue current and new licensees a new license that does not indicate an expiration date but advises the consumer that current license status can be obtained via License Lookup on the agency's website at www.dhp.virginia.gov.

Ms. Hoyle thanked Ms. Lang for her help with the licensing process while Ms. Harris has been out of the office. The Board members asked the minutes to reflect their appreciation for all of Ms. Lang's consistent hard work and dedication to the Board, and their desire to have their statements included in her yearly review.

Discipline Report, Jennifer Lang

Ms. Lang referenced the discipline report in the agenda and thanked Dr. Ball for his diligence in reviewing discipline cases. She also thanked board members for agreeing to stay after the meeting to complete probable cause reviews, and reminded them that they should review the cases individually and not discuss the cases openly, as it is not an official meeting.

Board Office Report, Jaime Hoyle

Ms. Hoyle referenced the licensing data within the agenda packet.

Board Counsel Report, Erin Barrett

None

Committee Reports

Board of Health Professions, Herb Stewart

Dr. Stewart referenced the information from the Board of Health Professions in the agenda packet.

Dr. Allison-Bryan advised that the agency is using the PMP data to look at specific professions to determine any changes in opioid prescribing. In looking at Orthopedic Surgeons, the number of written prescriptions is down by 42%. In addition, the pill count written is lower and there were likely three million fewer pills prescribed in 2018, after the recent focus on prescribing practices, compared to 2015.

Dr. Allison-Bryan also advised that core competencies for addiction, pain management, and opioid prescribing are available on the agency's website at https://www.dhp.virginia.gov/misc_docs/PrescribingCoreCompetencies11092017.docx. She noted that free continuing education for both prescribing and non-prescribing health care providers regarding safe prescribing and appropriate use of opioids soon will be available on the agency's

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website. Dr. Sheras recommended reaching out to licensees through the newsletter to alert them to training opportunities.

Legislative/Regulatory Committee, James Werth

Regulatory did not meet this quarter. The next meeting will include pending topics as well as the possibility that the American Psychological Association may begin accrediting Master's-level programs in the future.

Unfinished Business

None

New Business

Former Argosy Students and Practicum Hours

Ms. Hoyle provided the Board with an update on the closure of the Argosy program and ways to handle potential issues with students documenting practicum hours. If the student is unable to get information from Argosy and the new doctoral program is therefore unable to provide thorough documentation of the student's entire practicum experience, Board members agreed to assist staff in their efforts to help students. Board members agreed to be available to staff should specific issues arise that need additional consideration and review.

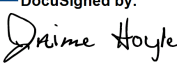
Next Meeting

The Regulatory Committee meeting will hold its next meeting on July 22, 2019, and the full Board will hold its next quarterly Board meeting on July 23, 2019.

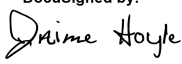
Adjournment

The meeting adjourned at 12:20 p.m.

The minutes were approved during the October 29, 2019 Board of Psychology meeting, as written.

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Herbert Stewart, Ph.D., LCP, Chair

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Jaime Hoyle, JD, Executive Director