

**VIRGINIA BOARD OF PSYCHOLOGY
QUARTERLY FULL BOARD
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: James Werth, Jr. Ph.D., ABPP, Chair

MEMBERS PRESENT; J.D. Ball, Ph.D., ABPP, Vice-Chair
Sally Brodsky, Ph.D.
Christine Payne, BSN, MBA
Peter Sheras, Ph.D., ABPP
Herbert Stewart, Ph.D.
Rebecca Vauter Ph.D., ABPP
Susan Brown Wallace, Ph.D.

STAFF PRESENT: Barbara Allison-Bryan, MD
David Brown, DC, Director of DHP
Christy Evans, Discipline Case Specialist
Deborah Harris, Licensing Manager
Jaime Hoyle, JD, Executive Director
Jennifer Lang, Deputy Executive Director
Charlotte Lenart, Executive Deputy Director of Licensing
Jared McDonough, Administrative Assistant
Jim Rutkowski, JD Assistant Attorney General
Sharniece Vaughan, Licensing Specialist
Elaine Yeatts, DHP Senior Policy Analyst

CALL TO ORDER: Dr. Werth, Chair, called the meeting to order at 1:05 p.m. and read the Mission statement.

Dr. Werth welcomed Board members, staff, and members of the public.

APPROVAL OF MINUTES: Dr. Ball moved to approve the February 11, 2020 Quarterly meeting minutes as written. The motion carried unanimously.

ORDERING OF AGENDA: Dr. Sheras moved to approve the agenda as presented. The motion carried unanimously.

- PUBLIC COMMENT PERIOD:** No public comment.
- AGENCY DIRECTOR REPORT:** Dr. Brown reported on the Agency's response to the pandemic, including restricting public access, transitioning employees to work remotely, requiring masks, and social distancing. Currently, approximately 75% of the Agency's employees telework. In particular, the Behavioral Science Boards have done a great job processing and licensing applicants virtually. The Agency has initiated waivers to increase efficiency and the Governor issued Executive Order 57, which allows temporary licenses for the Behavioral Sciences Boards.
- CHAIR REPORT:** Dr. Werth discussed the Virginia Academy of Clinical Psychologists (VACP) discussion hour virtual meeting on September 12, 2020 and asked for volunteers. Dr. Ball, Dr. Sheras, Dr. Stewart and Dr. Werth volunteered to participate.
- Dr. Werth stated that the General Assembly passed the PSYPACT legislation and the Board now needs to appoint a Virginia PSYPACT Representative. Dr. Werth recommended Jaime Hoyle, Executive Director, be the Virginia representative to ensure continuity. Dr. Wallace moved to approve Ms. Hoyle as the Board's representative for PSYPACT. The motion was seconded and carried unanimously.
- LEGISLATION & REGULATORY** **Update on Regulatory Actions and Report from 2020 General Assembly- Elaine Yeatts**
Ms. Yeatts discussed the report on Regulatory actions as of July 1, 2020.
- Ms. Yeatts provided a summary of the 2020 General Assembly bills listed in the agenda packet.
- STAFF REPORTS:**
- Executive Director Report:** Jaime Hoyle, J.D.
Ms. Hoyle gave a breakdown of statistics for the Board, which were included in the agenda package, and touched on the end-of-year report for the Behavioral Sciences Unit and financials. Ms. Hoyle announced that the Governor's office had a new Director of Appointments. The new Director is working on a replacement for the vacant Citizen Member position and will be looking to stagger expiration dates of members' terms going forward.
- Discipline Report:** Jennifer Lang, Deputy Executive Director
Ms. Lang discussed the discipline report that was included in the agenda package.
- Licensing Report:** Charlotte Lenart, Deputy Executive Director of Licensing
Ms. Lenart reviewed the licensing report as listed in the agenda. Ms. Lenart discussed Executive Order 57, which allows continuity of care

and allows the Board to issue temporary psychology licenses to individual who hold an active equivalent license issued by another state. Between April 22, 2020 and July 13, 2020, the Board issued 453 temporary psychology licenses.

Board Counsel Report:

James Rutkowski, Office of Attorney General
Mr. Rutkowski had nothing to report.

COMMITTEE REPORTS:

Regulatory Committee:

J.D. Ball, Ph.D., ABPP, Regulatory Chair

The Board discussed the proposed draft guidance document on guidelines for closing a psychological practice. The Regulatory Committee recommended that the document be approved in principle, with some planned modifications, such as including section 54.1-2405 of the Code of Virginia, any other Virginia laws, and a link to the Association of State and Provincial Psychology Board (ASPPB) Guidelines for Closing a Psychology Practice. The Board voted unanimously to accept the Regulatory Committee's recommendations. Staff and Committee members will research the laws and amend the documentation to present at the next meeting.

The next item that the Regulatory Committee discussed was the Examination for the Professional Practice of Psychology (EPPP)-Part 2. The Regulatory Committee recommended deferring this topic until a later date. No Board action needed at this time.

The Board discussed section § 54.1-119 of the Code of Virginia, which allows the Board to waive any requirement relating to experience for spouses of active duty 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. This new law has implications for licensure by endorsement. Currently, 18VAC125-20-42(6)(E)(1) requires documentation of post-licensure active practice for at least 24 of the last sixty months immediately preceding licensure application. The Committee's recommendation was to authorize Ms. Hoyle, in consultation with the Board chair, to accept a request for a waiver of the experience requirement for individuals who qualify under § 54.1-119. The Board voted unanimously to accept the Regulatory Committee's recommendations .

Dr. Ball informed the Board of the upcoming virtual Regulatory Advisory Panel (RAP) meeting regarding the review of the Regulations Governing the Certification of Sex Offender Treatment Providers (CSOTP). The RAP members are Maria Stransky, LPC, CSAC, CSOTP and Dr. Terry Tinsley, LPC, LMFT, CSOTP from the Board of Counseling, Dr. Ball and Dr. Werth from the Board of Psychology, and Ms. Hoyle will reach out to Dr. David Boehm, LCSW of Virginia Sex Offender Treatment Association (VSOTA).

The RAP will recommend changes to the Board for the periodic review of the Regulations Governing CSOTP.

Ms. Yeatts discussed the PSYPACT legislation, which is scheduled to be effective January 1, 2021. The Committee's recommendation is for the Board to adopt the Emergency Regulations as presented with a minor change. The Board voted unanimously to accept the Regulatory Committee's recommendations.

Section § 54.1-3606.2 of the Code of Virginia outlines the requirements for 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 identical language as implemented for the Physical Therapy background check. The Regulatory Committee recommended the Board to request the Agency include in their 2021 legislation packet the requirement for criminal background checks for licensure by the Board of Psychology, using the same language as Physical Therapy. The Board voted unanimously to accept the Regulatory Committee's recommendations.

The Regulatory Committee discussed whether COVID necessitated changes to the Continuing Education requirements. 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.

Also related to COVID, the Regulatory Committee recommended that the Board request that the Agency put forth legislation to amend the Virginia Freedom of Information Act (FOIA) to allow the Board to hold all Committee and Board meetings virtually, with the exception of disciplinary meetings. The Board voted unanimously to accept the Regulatory Committee's recommendations.

Dr. Ball informed the Board that 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.

Dr. Ball informed the Board that the Committee would review ASPPB's Social Media Guidelines and the Board's Telepsychology Guidance

Document at a later meeting. At that time, the Committee will recommend changes or additions to the current Guidance Document. The Board should email any suggestions to Ms. Hoyle.

BOARD OF HEALTH PROFESSIONS:

Herb Stewart, Ph.D.
Dr. Stewart discussed the Board of Health Professions (BHP) meeting. Staff provided the minutes of this meeting in the agenda packet.

NEW BUSINESS:

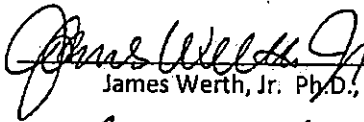
The Behavioral Sciences Boards, along with the Board of Medicine, will conduct a study on the mental health services for minors. Ms. Hoyle asked volunteers to participate in the study. Dr. Wallace and Ms. Payne stated they are be willing to participate. Ms. Yeatts mentioned the deadline for completion of the report is November 1, 2020.

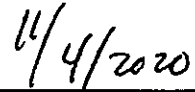
NEXT MEETING:

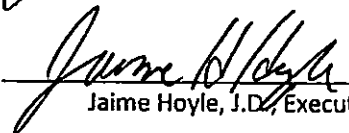
The next Board meeting is scheduled for October 27, 2020.

ADJOURNMENT:

The meeting adjourned at 3:07 p.m.


James Werth, Jr. Ph.D., ABPP, Chair


Date


Jaime Hoyle, J.D., Executive Director


Date