

**VIRGINIA BOARD OF PSYCHOLOGY
QUARTERLY FULL BOARD
MEETING MINUTES
August 31, 2021**

TIME AND PLACE: Dr. Werth called the meeting to order at 10:00 a.m. on Friday, August 31, 2021, in Board Room 4 at the Department of Health Professions ("DHP"), 9960 Mayland Drive, Henrico, Virginia.

PRESIDING OFFICER: James Werth, Jr. Ph.D., ABPP, Chair

MEMBERS PRESENT: J.D. Ball, Ph.D., ABPP, Vice-Chair
Aliya Chapman, Ph.D., Board Member
Norma Murdock-Kitt, Ph.D., Board Member
Christine Payne, BSN, MBA, Citizen Member
Peter Sheras, Ph.D., ABPP, Board Member
Stephanie Valentine, Citizen Member
Susan Brown Wallace, Ph.D., Board Member

ABSENT MEMBERS: Sally Brodsky, Ph.D. Board Member

STAFF PRESENT: David Brown, DC, DHP Director
Jaime Hoyle, JD, Executive Director
Jennifer Lang, Deputy Executive Director
Charlotte Lenart, Deputy Executive Director
Jim Rutkowski, JD, Assistant Attorney General
Elaine Yeatts, DHP Senior Policy Analyst/Agency Regulatory Coordinator

CALL TO ORDER: Dr. Werth welcomed the Board members and congratulated Dr. Chapman on her reappointment and Dr. Murdock-Kitt on her appointment to the Board. Dr. Werth called the meeting to order at 10:00 a.m.

After completing a roll call of Board members and staff, Ms. Hoyle indicated that with 8 members present a quorum was established.

Dr. Werth read the mission of the Board and egress instructions.

ORDERING OF AGENDA: Because the PSYPACT Commission was discussed at the Regulatory Committee meeting, Dr. Werth suggested that this item be moved under the Regulatory Committee Report. Dr. Ball moved, which was properly seconded, to amend the agenda as suggested. The motion passed unanimously.

PUBLIC COMMENT: Jennifer Morgan, Clinical Psychologist and member of Virginia Academy of Clinical Psychologists (VACP), thanked the Board for attending and presenting at the VACP Board Conversation Hour. The next VACP convention will be in the fall in Virginia Beach. VACP is looking forward to having the Board back to speak at the VACP Conversation Hour in the spring of 2022.

APPROVAL OF MINUTES: With no amendments to the Quarterly Board Meeting minutes from April 13, 2021, or the Stakeholder's Meeting minutes from July 29, 2021, the minutes stand approved as presented.

AGENCY DIRECTOR REPORT: Dr. Brown reported that the state of emergency lapsed on June 30, 2021, which allowed meetings to be held virtually. He reported that the Agency will be proposing legislation to allow some virtual meetings and answered questions from Board members related to virtual meetings and virtual public attendance.

Dr. Brown stated that for a long period of time the Agency was closed to the public and recently reopened its doors on August 2, 2021.

The Agency will be returning to the office (return to the new normal) on January 1, 2022 and most employees will be allowed to telework up to 3 days. The Agency has taken precautions to make sure that the staff, public, and Board members are safe when visiting the building.

CHAIR REPORT: Dr. Werth's report included information on the Board's attendance at the VACP Conversation hour. Dr. Werth, Dr. Ball, Dr. Stewart, Dr. Sheras, Ms. Lang, and Ms. Lenart presented at the VACP Conversation Hour Meeting and gave an update on Board related issues.

LEGISLATION AND REGULATORY ACTIONS: Regulatory Actions
Ms. Yeatts updated the Board on the current regulatory actions that were included in the agenda packet.

Chart of Regulatory Actions:

18VAC125-20 Regulations Governing the Practice of Psychology – Implementation of Psychology Interstate Compact (Action 5567)
Proposed – At Secretary's Office

18VAC125-20 Regulations Governing the Practice of Psychology – Unprofessional conduct/conversion therapy (Action 5218)
Final – Register Date: 7/19/2021
Effective: 8/18/2021

18VAC125-30 Regulations Governing the Certification of Sex Offender Treatment Providers – Amendment resulting from a periodic review (Action 5660)
Fast-Track – Registered Date: 6/7/2021
Effective: 7/22/2021

Dr. Werth mentioned that Dr. Stewart, former Board member, was an integral part of creating and advocating for the regulations regarding unprofessional conduct/conversion therapy.

PRESENTATION:

Presentation from Health Care Workforce Data Center: Licensed Clinical Psychologists – 2021

Dr. Yetty Shobo, Deputy Director, Healthcare Workforce Data Center presented and answered questions from Board members related to the workforce data information presented in the agenda packet.

Dr. Werth asked that questions related to Doctorate of Psychology degrees be amended to capture data related to individuals holding a PhD or a PsyD instead of PhD in another field.

STAFF REPORTS:

Executive Director Report:

Ms. Hoyle briefly discussed the financials. Ms. Hoyle indicated that the Board has seen an increase in applications.

Ms. Hoyle attended one PSYPACT meeting and indicated that she has attended two meetings as a part of the PSYPACT Financial Committee. The Board will be assessed for the first time in January 2022 for anyone who has been approved for the E.Passport.

Ms. Hoyle indicated that ASPPB has increased the number of administrative meetings, which she finds very helpful and informative.

Ms. Hoyle will send out a newsletter in the near future to welcome the new Board members and provide information on the regulatory changes.

Dr. Sheras indicated that PSYPACT is active in 18 states and waiting for several other states to enact new legislation.

Ms. Hoyle thanked staff for their hard work and dedication.

Discipline Report:

Ms. Lang referenced the discipline report on page 287 of the agenda packet. Ms. Lang stated that she needed help from the Board members to review the outstanding probable cause cases. Ms. Lang discussed the possibility of having a part-time discipline case reviewer. If the Board is agreeable, then the By-laws would need to be amended to allow such reviewer. The Board was supportive of changing the By-laws allowing for a part-time discipline reviewer to review probable cause cases. The Board will consider these changes at the next Board meeting.

Licensing Report:

Ms. Lenart referenced her report on page 289 of the agenda packet. Ms. Lenart indicated that the Satisfaction Survey results were received recently, and the Board received a 97.1% which is directly related to Ms. Harris' customer service. Ms. Lenart indicated staff has updated the endorsement application and forms and will continue to update additional applications as time permits.

BOARD COUNSEL REPORT:

Mr. Rutkowski had nothing to report.

ELECTION OF OFFICERS: Ms. Hoyle discussed the election requirements and procedures as outlined in the By-Laws. Both Dr. Ball and Dr. Werth are eligible for re-election.

Motion: Dr. Ball made a motion, which was properly seconded, to nominate Dr. Werth for Chair. The motion passed unanimously.

Motion: Dr. Sheras made a motion, which was properly seconded, to nominate Dr. Ball for Vice-Chair. The motion passed unanimously.

Ms. Hoyle congratulated Dr. Werth and Dr. Ball on their re-election.

Dr. Werth will talk to members and verify committee chairs and committee members.

COMMITTEE REPORTS: **Regulatory Committee Reports:**

Periodic review of the Regulations related to Delegation to an Agency Subordinate

Dr. Ball discussed the need for the Board to complete a periodic review of the Regulations related to Delegation to an Agency Subordinate. The Committee recommended that the Board continue this regulation without amendment. Ms. Yeatts indicated that the Board has not utilized an Agency Subordinate to date, but the Board has had regulations in place to allow for such delegation since 2004.

Action: The Board voted unanimously to accept the Committee's recommendation.

Stakeholders Meeting Discussion

Dr. Ball discussed the background and questions/concerns asked at the Stakeholders' meeting.

ASPPB Development of the EPPP-Part 2/Skills Examination

The Committee took an action step to continue the discussion on the requirement of the EPPP-Part 2 and to consider making it a licensing requirement. It will first review ASPPB data regarding the cut-off points and the discrimination capability of at least 150 examinees. The Regulatory Committee is leaning toward making this a requirement but is not making that recommendation to the Board today.

Dr. Sheras stated that the Board needs to consider the timing of the examination and the possibility of offering the EPPP-Part 1 earlier. Dr. Sheras suggested that the first part of the exam be taken around the same time as the comprehensive examination or even as the comprehensive examination during their graduate studies to test applicant's knowledge. The EPPP-Part 2 that would come at the end their supervised experience prior to licensure. The Board's new regulations allow, but do not require this. It would be up to the individual graduate programs what they would allow.

Master's level psychology license

The themes that were mentioned at the Stakeholder's meeting included: 1) a tremendous demand for services exists alongside a current shortage of providers; 2) given difficulties with sufficient science and psychology being included in the curricula of other master's level mental health providers, increasing numbers of clinical psychologists can see advantages to establishing a limited license for master's level psychologists; 3) accrediting bodies like APA are writing standards for accrediting master's level psychology programs without knowing where Boards of Psychology are going to go with this licensing question, and 4) there is a push toward a tiered care system in which a master's level psychologist might be required to work under the supervision of a Licensed Clinical Psychologist.

The Committee's action item is to take up further discussion on various models of practice for master's level trainees, including trying to learn what other state Boards are doing. This discussion and review will take some time.

Dr. Sheras stated that APA has been looking at accrediting master's program and has requested that the APA Commission on Accreditation begin to draft requirements. APA, as an organization, will have a Summit on October 23-24, 2021 to look into master level training. Dr. Sheras will provide more information at the next Board meeting.

Psychology Clinical Science Accreditation Systems (PCSAS) accreditation

The new regulations allow the Board to consider accreditation agencies other than APA. The Committee took an action step to carefully review the written standards pertaining to PCSAS accreditation and get additional information from PCSAS representatives.

Ms. Hoyle indicated that she would send a questionnaire related to this subject to other Boards to see if other states are considering PCSAS as an approved accrediting body.

Break:

The Board took a lunch break from 12:20 p.m. to 12:48 p.m.

Development of Social Media Guidance Document Discussion

Dr. Ball discussed the specific changes that were made to the proposed guidance document after receiving comments and suggestions from Board members and staff. Dr. Ball also sent the document to VACP for their input. The Committee is satisfied with the document and is passing it to the full Board for their feedback.

Dr. Werth indicated that he would like to have edits or comments before the next Regulatory Committee meeting so that a decision can be made at that time. Staff will send out an editable version so members can make changes and suggestions.

Discussion on PSYPACT

Dr. Ball discussed the controversy over PSYPACT rules requiring E.Passport applicants provide evidence of graduating from an APA accredited university instead of just having licensure in another state.

This rule change disenfranchises three different groups licensed by the Board:

- Psychologists licensed prior to APA (1985) - senior psychologists;
- Industrial Organizational (IO) Psychologists; and
- Those licensed under an endorsement but who did not graduate from an APA accredited school.

Dr. Werth indicated that there is a likely movement by PSYPACT to address the senior psychologist issue.

As a result, the Committee's suggestion to the Board is to ask Ms. Hoyle, as the PSYPACT representative, to advocate for individuals seeking E.Passports to have a license at the doctoral level but not require these applicants to have degrees from programs with APA accreditation.

Dr. Wallace asked whether school psychologists were having problems procuring E-passports. Dr. Ball indicated that there have been no official complaints from school psychologists about being denied E.Passports. Doctoral level school psychologists are eligible for E-passports and would also be assisted by the Board's position to not require those seeking E-passports to have degrees from programs with APA accreditation.



Action: The Board voted to allow Ms. Hoyle, as the PSYPACT representative, to advocate Virginia's position for licensure at the doctoral level and allow non-APA accreditation for E Passports. The motion passed with seven in favor and one recusal.

Board of Health Professions Report:

Dr. Werth indicated that the minutes from the last Board of Health Professions meeting is in the agenda packet. Dr. Stewart's term to represent the Board of Psychology recently expired. The Governor will be appointing a new member from the Board of Psychology to the Board of Health Professions.

NEXT MEETING: The next quarterly meeting is scheduled for December 14, 2021.

ADJOURNMENT: The meeting adjourned at 1:23 p.m.

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