



Oregon

John A. Kitzhaber, MD, Governor

Oregon Board of Psychologist Examiners
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Public Session Board Meeting Minutes

November 15, 2014

The Grand Hotel at Bridgeport
7265 SW Hazel Fern Rd.
Portland, OR 97224

Members Present: Fran Ferder, Ph.D., Chair
Patricia Bjorkquist, Ph.D.
Peter Grover, Ph.D.
James Hendry, Public Member
Sandra Jenkins, Ph.D.
Dorothy Mellon, Public Member
Daniel Munoz, Ph.D.
Devin Salinas, Public Member

Members Absent: Anne-Marie Smith, Ph.D.

Legal Counsel: Warren Foote, AAG

Staff: Karen Berry, Investigator
LaRee Felton, Program Analyst
Ashlie Rios, Office Specialist

Guests: Cyndi Smith, DAS Human Resources
Jim Gardner, Gardner & Gardner

INTRODUCTIONS/ROLL CALL

Dr. Ferder called the Oregon Board of Psychologist Examiners (OBPE) Public Session meeting to order at 9:05 a.m. on Saturday, November 15, 2014, at The Grand Hotel at Bridgeport, Board Room, 7265, SW Hazel Fern Rd., Portland, OR.

PILOT PROJECT & INTERIM EXECUTIVE DIRECTOR UPDATE

Cyndi Smith indicated there are currently 19 applicants that have applied for the Executive Director (ED) position. One of them was interviewed by phone yesterday, four more are scheduled next week over the phone, and they will continue to do this. They have already eliminated a couple applicants due to their lack of skill(s) and others whom didn't have state experience. Dr. Munoz asked what the general background of the applicants was. Ms. Smith indicated that one applicant has a Bachelor's degree in psychology from California; another is a Program Director for Head Start and has good managerial skills; there is a gentleman with a

Bachelor's degree in psychology and has worked in the field of mental health; two others are state employees, one is a Human Resource person with managerial experience and the other state employee has program experience. Dr. Grover asked what the minimum qualifications were for the position. Ms. Smith mentioned that at the ED level is strictly managerial and the main qualification/skill needed is managing. There was no minimum education requirement for the position. Dr. Ferder asked if there would be an issue with a mental health professional being an ED. Cyndi doesn't see any risk with it. She sees really good professionals in the area that have the knowledge of the profession but might not have great managerial skills, there is a tossup. Dr. Ferder asked if the state could utilize the ASPPB process in finding leaders in the field. Mr. Hendry asked if we could extend the deadline for applicants if we weren't happy with any of the current choices. Ms. Smith indicated that both were possibilities. They would have to look into it further if none of the current applicants were suitable. The open Operations & Policy Analyst position was also brought into question. The Board agreed that this position would not be posted or filled until after the ED position is filled and they are able to help with the recruitment process.

2015-17 BIENNIUM BUDGET

The OBPE discussed this topic at its Friday Board Meeting and it will be reflected in the 11/14/14 meeting minutes. A brief over view of the licensing fee reeducations was discussed. The board also wants to start sending more board members and staff to the national conferences. No further comments were made.

ASPPB CONFERENCE DEBRIEF

Patricia Bjorkquist, Ph.D., James Hendry, Esq., and Ashlie Rios attended the 54th Annual Association of State and Provincial Psychology Boards conference. The first day ASPPB focused on creating a greater consistency among all the states or provinces for mobility. One of the biggest features of this is the Professional Licensure Universal Application System (PLUS). Alex Siegel and Janet Phippen from ASPPB will come out to the January board meeting to give them the formal presentation of the PLUS system and hopefully begin a trail period. The PLUS program is stored electronically, is free to students or will have a \$200 application fee, all information is Primary Source Verification, and states will have access to this databank of information to pull from it the information they need for licensure in their state. This feature is run through ASPPB. They will have their own customer service desk for applicants so that the states do not have to try and help with any issues that may arise. 11 states currently use the system, 5 are in the implementation phase, and 6 have expressed interest but still need to meet with ASPPB. Ms. Felton remembered ASPPB reporting originally that the \$200 fee was the initial application fee but then once all your credentials are banked then they would charge an annual fee for storing that information. Dr. Bjorkquist and Ms. Rios did not hear them mention this at the conference but it would be a great question for Mr. Siegel in January. Another discussion was around Behavior Analysts and how insurance companies have started a program for individuals with Autism that gives them \$70,000 for evaluations but it's unregulated. ASPPB has a task force created for investigating this but they don't know much around it. ASPPB's attorney, Dale Atkinson, spoke of national issues that have come up in the last year that he felt all Board's needed to know about. Examples include Veteran Affair investigations, Criminal Background Checks, Immigration, and Conscious Clauses. Both board members and staff received a lot of useful information to benefit the Oregon Board and enjoyed the trip.

ASPPB JURISDICTIONAL SURVEY

The OBPE discussed this topic at its Friday Board Meeting and it will be reflected in the 11/14/14 meeting minutes. There was an opportunity for further discussion; however, no comments were made.

OPA MAY CONFERENCE

The OBPE discussed this topic at its Friday Board Meeting and it will be reflected in the 11/14/14 meeting minutes. There was an opportunity for further discussion; however, no comments were made.

PUBLIC SESSION MEETING LOGISTICS

Public Session conference call-in line was discussed. This was not a practice of the board before Ms. Eklund and the question is on the table if we want to continue it or not. Legal Counsel mentioned that current Public Session Meetings are open to the public and chairs are available for any who comes and this full-fills Public Meeting law. The board agrees to eliminate the public phone line; however, they will allow this as an option for someone with disabilities or impairments and cannot make it to the meeting location. Legal Counsel feels that the Public Meeting Notice with LaRee's contact information is feasible. Direction to staff is to discontinue the call-in line. Legal Counsel also wanted to mention a few concerns he has seen in other boards and commissions in terms of Public Meeting laws. Executive Session is held due to the personal information, medical records, and investigative information that is shared on a case. The legal excerpt is read at the beginning of every meeting announcing that they have convened in Executive Session and the media is allowed; however, they are not allowed to report on any of the cases they hear. He has seen that some individuals are now challenging certain Board's accusing them of discussing public information during Executive Session. Now those transcripts are being requested as part of public document. There is a fine line between Public Meetings Law and what's protected in Executive Session. Our board has not violated any of these laws but should be made aware of the current issues. Dr. Grover asked if a complainant can request the board to discuss their case, in its entirety, during Public Session. Legal counsel confirmed that they may request this, but it is not allowed. All of our Notices and Orders are posted to our website as a part of public protection; however, if anyone requested documents from the Board they have the right to redact confidential information.

Legal Counsel briefed the newer board members of their duties and responsibilities as a board member. He also used this time to reminded the entire Board that they are not to use their position for any financial gain, they are to recuse themselves in any case where they might be biased, their email transmissions are public record, they are not to use their personal email to speak of board matters, they are to be aware of Public Meeting Law and to not discuss in groups of more than three members, they are advised to not speak to the public, and to be aware that they are held to a higher standard now and represent the board.

IT SERVICES

Confuzer, Inc. is our current IT provider. Grant Moyle is the owner/service technician and has been working with state licensing boards since 1992. He was introduced to OBPE via the

OBLPCT; he has been their IT provider for 15 years. Once the two boards started to collaborate, Becky Eklund contracted Confuzer, Inc. His current service provides iPad support, updating software, computer support, and support to Board staff that work in the field. The OBPE is currently running off of Microsoft Office 2003. Before the board can upgrade all of their software and database, we have to put the project out for bid. Confuzer, Inc. has offered three different options for the Boards IT services. Option 1 upgrades the Board from Access 2003 to 2010 with no back-end changes. Option 2 gives the Board Access 2010 from 2003 on the front-end and also moved Access 2003 into SQL Database on the back-end. Option 3 offers a complete data change to Confuzer Inc.'s Microsoft Customer Relation Management (CRM). Dr. Munoz asked about the CRM solution and using the database that Mr. Moyle created and manages himself. Mr. Moyle understands the concern of something unfortunate happening and him being the only individual with access to the CRM, manage the database, and owning the server. Mr. Salinas uses a CRM for his professional business and asked what the primary advantage is as it relates to a licensing board and what other software would need to be used to store the files since the CRM only holds data information. Mr. Moyle doesn't want to store documents into the database. The solution would be to create a file server to store all of the folders and documents separate from the data/database.

The board took a short break 10 minutes break and reconvened in Public Session.

Staff's preference would be option 2, where the database and server are separated. The most important update would be Access 2003 to Access 2010 for our current database. Dr. Munoz is interested in having an offsite backup. Option 2 also utilizes the current server that is located on the second floor of the building, as well as utilizes an offsite backup system which the board doesn't currently have.

SUPERVISION & ACCESSIBILITY OF ELECTRONIC RECORDS

Ms. Felton reviewed this topic with the board. This was discussed a while ago along with the requirement for an on-site supervisor in the residency setting. The board does not require on-site supervision anymore; however, they are now seeing instances where supervisors aren't able to review the resident's cases due to electronic files and security restrictions/access but the supervisor is still signing off on them. Now there is a possibility of supervisors signing off on cases without either having accessing and/or being onsite to review. Perhaps a set of standards needs to be created in these situations. The board will look to see what ASPPB has currently and use a reference. The board decided to move this topic to the next Board Meeting so that they can review the current rule and contact ASPPB for further guidelines.

PUBLIC INPUT

This is an opportunity for the public to address the Board. The Chair will determine the length of the time given based on the meeting agenda and the number of individuals that wish to speak.

There was no public input.

TOPICS FOR FUTURE BOARD MEETINGS

The Board covered most of their concerns for 2014. They looked at past discussions including the Oregon Jurisprudence Examination, Pastoral Counseling, and changing the agencies name. No further conversation was made around the other topics except the name change. The board agreed that the board could change their name since they don't give examinations anymore. The board members will look into potential names and the process required to change a state agency name.

The board discussed the current use of iPad's. They have been having a few issues with the data, downloading the board packets, service in remote areas, etc... Board members mentioned a few other options for offsite servers that they will look into such as Google Drive, Box, Google Drive, and Amazon. Dr. Munoz and Mr. Salinas will work with board staff to create a list of options to be reviewed at a future meeting.

ADJOURN

The Oregon Board of Psychologist Examiners meeting adjourned at 12 noon.

Respectfully Submitted:

// Fran Ferder, Ph.D. //

January 16, 2015

Fran Ferder, Ph.D., Board Chair

Date