



Oregon

Kate Brown, Governor

Board of Psychologist Examiners

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Public Session Board Meeting Minutes

March 20, 2015

3218 Pringle Road SE

Salem, OR 97302

Members Present:	Fran Ferder, Ph.D., Chair Patricia Bjorkquist, Ph.D., Vice-Chair Peter Grover, Ph.D. James Hendry, Public Member Sandra Jenkins, Ph.D. Dorothy Mellon, Public Member Daniel Munoz, Ph.D. Anne-Marie Smith, Ph.D.
Members Absent:	Devin Salinas, Public Member
Legal Counsel:	Warren Foote, AAG
Staff:	Charles Hill, Executive Director Karen Berry, Investigator LaRee Felton, Program Analyst Ashlie Rios, Office Specialist
Guests:	Ryan Dix, Psy.D., OPA Liaison Christian Wolff, M.A. Robert Plamondon

INTRODUCTIONS/ROLL CALL

Dr. Ferder called the Oregon Board of Psychologist Examiners (OBPE) Public Session meeting to order at 1:02 p.m. on Friday, March 20, 2015, at 3218 Pringle Rd., SE, Salem, OR.

WELCOME NEW EXECUTIVE DIRECTOR

The Board welcomed Mr. Charles Hill to the OBPE and to the public. The Board also thanked Randy Harnisch for his work with the OBPE & Oregon Board of Licensed Professional Counselors & Therapists (OBLPCT) as the Interim Executive Director, during the hiring process, and his willingness to guide Mr. Hill with the Executive Director duties.

MEETING MINUTES

Regular Board Meeting – January 16, 2015

Dr. Munoz moved and Mr. Hendry seconded the motion to approve the January 16, 2015 Board Meeting Minutes. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Special Board Meeting – February 6, 2015

Dr. Munoz moved and Dr. Bjorkquist seconded the motion to approve the February 6, 2015 Special Board Meeting Minutes. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

FINANCIAL REPORT

Mr. Hill has had a few meetings with the Department of Administrative Services, Accounting Department regarding the OBPE's current and future budget. He informed the Board that the current budget is extremely tight but is remaining under budget by \$2,624. He will be watching the last quarter closely to make sure we remain under budget.

CONSUMER PROTECTION CASES

CE AUDIT

License #2120: Mr. Hendry moved and Dr. Munoz seconded the motion to issue a Default Order imposing a \$200 civil penalty. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

License #638: Mr. Hendry moved and Dr. Munoz seconded the motion to approve the CE submission. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

License #1972: Mr. Hendry moved and Dr. Smith seconded the motion to approve the Stipulated Order. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-No; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

APPLICANT MATTERS

Application #14-67: Dr. Munoz moved and Mr. Hendry seconded the motion to sustain the reviewer's decision in finding the application incomplete. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Application #14-103: Mr. Hendry moved and Dr. Smith seconded the motion to approve the request to withdraw application. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Orders

Case #2013-021 & 2014-005: Mr. Hendry moved and Dr. Grover seconded the motion to approve the Stipulated Order. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2013-048: Dr. Munoz moved and Mr. Hendry seconded the motion to issue a Final Order to revoke the license and impose a \$5,000 civil penalty. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-

Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2014-019: Dr. Munoz moved and Ms. Mellon seconded the motion to approve the Stipulated Order. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2014-016: Mr. Hendry moved and Dr. Munoz seconded the motion to approve the Stipulated Order. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Thirty-Day Letter Responses

Case #2013-056: Dr. Jenkins moved and Mr. Hendry seconded the motion to issue a Notice of Proposed Disciplinary Action (NPDA) with a one year suspension. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2014-037: Dr. Munoz moved and Mr. Hendry seconded the motion to issue a NPDA with a letter of reprimand and a \$5,000 civil penalty. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2014-042: Mr. Hendry moved and Dr. Munoz seconded the motion to issue a Notice of Intent to Impose a Civil Penalty (NICP) with a \$5,000 civil penalty. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

New Case Reports

Case #2014-052: Mr. Hendry moved and Dr. Jenkins seconded the motion to dismiss the case. All board members present voted in favor of the motion, Dr. Munoz objected, and no abstentions. The motion passed.

Case #2014-054: Dr. Bjorkquist moved and Dr. Munoz seconded the motion to dismiss the case. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-055: Mr. Hendry moved and Dr. Bjorkquist seconded the motion to dismiss the case. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-059: Mr. Hendry moved and Dr. Bjorkquist seconded the motion to dismiss the case. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-060: Mr. Hendry moved and Dr. Munoz seconded the motion to issue a Thirty-Day Letter. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2014-058: Mr. Hendry moved and Dr. Munoz seconded the motion to issue a Thirty-Day Letter. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2014-061: Mr. Hendry moved and Dr. Smith seconded the motion to dismiss the case. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-065: Mr. Hendry moved and Dr. Bjorkquist seconded the motion to dismiss the case. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2015-004: Dr. Jenkins moved and Dr. Munoz seconded the motion to issue a Thirty-Day Letter. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2015-007: Mr. Hendry moved and Dr. Munoz seconded the motion to issue a Thirty-Day Letter. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2015-008: Mr. Hendry moved and Dr. Munoz seconded the motion to issue a Thirty-Day Letter. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2015-010: Mr. Hendry moved and Dr. Munoz seconded the motion to issue a Thirty-Day Letter. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Case #2015-011: Dr. Jenkins moved and Dr. Grover seconded the motion to issue a Thirty-Day Letter. Roll call vote: Ms. Mellon-Aye; Dr. Jenkins-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Mr. Hendry-Aye; Dr. Grover-Aye; Dr. Smith-Aye, and Dr. Ferder-Aye. The motion passed.

Consent Agenda

Case #2014-044: Mr. Hendry moved and Dr. Munoz seconded the motion to dismiss the case. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-053: Dr. Jenkins moved and Dr. Munoz seconded the motion to dismiss the case. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-056: Mr. Hendry moved and Dr. Munoz seconded the motion to dismiss the case. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-064: Dr. Munoz moved and Mr. Hendry seconded the motion to dismiss the case. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

Other Action

Case #2014-051: Dr. Munoz Moved and Dr. Grover seconded the motion to approve the request for a written summary of complaint. All board members voted for the motion, Dr. Jenkins and Mr. Hendry objected, and no abstentions. The motion passed.

INVESTIGATION EXTENSIONS

Case #2014-062, #2015-001, #2015-002, & #2015-003.

Dr. Munoz moved and Dr. Grover seconded the motion to approve the thirty-day investigation extensions on the cases listed above. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

OPA's 2015 ANNUAL CONFERENCE

The OBPE Town Hall will be held on May 2, 2015, from 1:30-3:00 p.m. Dr. Ferder & Dr. Smith will not be able to attend the Oregon Psychological Association (OPA) conference this year; the rest of the Board members and staff are planning on attending. Dr. Ryan Dix is excited about the conference and the Board's willingness to speak at one of the breakout sessions. OPA has asked the Board to speak about recent OBPE rule changes over the last year. Members have expressed specific interest in the new diversity continuing education. Ms. Felton noted that in the past they have given a handout of general statistics and can include a summary of all recent rule changes such as the CE, fee reduction, psychology title, etc. Dr. Grover thought a legislative update would be beneficial as well along with any future legislative concepts.

LEGISLATIVE UPDATE

There are a number of bills that concern our licensees in the current session. A recent bill outlawing conversion therapy has had some feedback that this is expected to be approved. If and when this bill passes, the Board would like to issue a statement or press release. Dr. Grover has some history on how the writing of this bill has evolved. It is known that California has a similar bill and that dialogue was used to help write the current Oregon bill. Dr. Munoz worked with Brad Sanchez on supporting the bill. He thinks the bill is a great first start; however, it has some flaws and loop holes that will need to be worked out later. Dr. Munoz asked about OPA's stance on this bill. Dr. Dix mentioned that they asked their membership for feedback. They didn't get much negative or positive but there were many responses and it leaned towards positive or being neutral if it passed.

HB 2044 is another bill to keep an eye on. This is being sponsored by Representative Huffman. The bill would prohibit the Board from discriminating against an individual who did not graduate from an APA school or allow them to apply for licensure. OPA has heard that there will be a courtesy hearing at best but expects it to die. Dr. Munoz noted that not only does this bill reflect APA issues but it would also prohibit the Board from defining residency. Dr. Munoz also asked about the PLUS system. This is on the May agenda for discussion. The Board generally likes the idea and thinks they should look into what the next steps are.

Ms. Felton mentioned SB 230 that would make the healthcare workforce survey mandatory. OBPE would need to verify licensees' compliance prior to issuing a renewal license. This makes it even more important to consider developing an online renewal system that can electronically track if a licensee has completed the survey or not as a part of license renewal. Per Mr. Hill, the OBLPCT has voted to move towards online renewals and the thought is that the OBPE will also be doing this soon.

Dr. Grover also mentioned HB 2303 that deals with billing and non psychologists billing.

Another important bill is SB 430, which authorizes the OBPE to not license anyone who has been convicted of a sex crime. The Board already has this discretion.

LICENSURE EXEMPTION WORKGROUP

This workgroup is not fully formed and has not yet met. It will consist of members from the OBPE, OBLPCT, and the Oregon Board of Social Workers (OBSW). The OBPE members are Peter Grover and Dorothy Mellon. Members from OBLPCT and OBSW still need to be assigned.

ASPPB PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)

<http://www.asppb.net/news/217917/Psychology-Interjurisdictional-Compact-PSYPACT-Announced.htm>

Dr. Ferder asked the Board what they thought of the compact. Dr. Munoz thought that all of the ideas from ASPPB are the best out there. Ms. Felton's concerns are that it may go around the limited permit, which allows the Board to monitor whom is coming in and out of Oregon to practice at any given time. Dr. Bjorkquist thinks that we should get involved with ASPPB to hash out those types of concerns. This is happening. To adopt this compact we would need to make legislative changes.

IT SERVICES

Dr. Munoz and Mr. Salinas looked at a few different cloud based services for our future board meetings. The three options currently are Google Drive, Drop Box, and the Cloud. From a security stand point, only Google will sign a business agreement that will follow HIPPA compliance. Evernote is the least flexible for our needs. Dr. Munoz thinks that Google Drive is the best option of the three. Ms. Felton also mentioned that our current IT Company, Confuzer, Inc., has been working with the Oregon Mortuary and Cemetery Board on new software with the iPads that are similar to these online, web-based storage systems. It allows the board staff to drag and drop any documents from their computer into board members iPads. This will eliminate the size limitations via email which was the biggest discrepancy from staff. The Board will try this option first at the next Board meeting.

Dr. Ferder updated the Board regarding call-in telephone line. The Board just recently went through a trial run of almost two years with the telephone system. Unfortunately, the confidential line and passcode was hacked and our account was billed for a lot of money. Due to security and billing reasons the Board has decided to forgo the telephonic meetings to prevent this problem in the future. The Board hopes to switch vendors in the future.

The database upgrade is on hold due to our budget limitations. This will be pushed over to the next biennium.

APPROVE LICENSES

Glena L. Andrews, Ph.D.; William M. Backner, Ph.D.; Paul D. Connor, Ph.D.; Camille C. Curry, Psy.D.; Stacy L. Ellis, Psy.D.; Suzanne M. House, Ph.D.; Marianne M. Kabour, Ph.D.; Maren E. Lindeland, Psy.D.; Jingqing Liu, Ph.D.; Peggy L. Marcinkowski, Ph.D.; Robert E. Schneider, Ph.D.; Jennifer A. Simon-Thomas, Ph.D.; David V. Wagner, Ph.D.; Kimberly A. Wisotzke, Ph.D.; Kathleen I. Woodside, Ph.D.

Dr. Munoz moved and Dr. Grover seconded the motion to approve all licenses listed above. All board members present voted in favor of the motion, no objections, and no abstentions. The motion passed.

PUBLIC FORUM

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.

Robert Plamondon- a network engineer, technical writer, and hypnotherapist- wished to speak to the Board. Since the last board meeting he has sought out legal advice from a few different attorneys regarding the exemption rules with the OBLPCT and offered their legal opinion. He also noted that in the 2013 Legislative Session the OBPE had a slight change in their statute that he felt clarified that anybody who was licensed, certified, or otherwise authorized by the State of Oregon to provide mental health service is outside the jurisdiction of OBPE unless they use the title “psychologist.” He is glad that the Unlicensed Committee and workgroup has been created to better understand the exemptions and clarify practice limitations.

STATISTICS

Licensure

22 new applications have been received and 15 licenses have been issued in 2015. There are currently 163 active applicants (including 76 practicing residents), and 1786 licensees: 1409 active, 203 semi-active, 172 inactive, and 2 suspended.

Consumer Protection

16 complaints have been filed in 2015. There are currently 39 open cases under investigation (including the investigation files scheduled for Board consideration): 28 licensees, 4 applicants, and 7 unlicensed practice cases. There are 4 contested cases in process, and 2 cases on appeal.

The Oregon Board of Psychologist Examiners adjourned Public Session at 2:25 p.m.

Respectfully Submitted:

// Charles Hill //

Charles Hill, Executive Director

May 22, 2015

Date