



Oregon

John A. Kitzhaber, MD, Governor

Oregon Board of Psychologist Examiners

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Public Session Meeting Minutes

September 5, 2014

3218 Pringle Rd. SE

Salem, OR 97302

Or by Conference Call:

1-800-504-8071

Code: 3784154

Members Present: Fran Ferder, Ph.D., Chair
Daniel Munoz, Ph.D., Vice Chair
Patricia Bjorkquist, Ph.D.
Shane Haydon, Ph.D.
James Hendry, Public Member
Sandra Jenkins, Ph.D.
Dorothy Mellon, Public Member
Anne-Marie Smith, Ph.D.

Members Absent: Devin Salinas, Public Member

Legal Counsel: Warren Foote, AAG

Staff: Janelle Houston, Operations & Policy Analyst
Karen Berry, Investigator
LaRee Felton, Program Analyst
Ashlie Rios, Office Specialist

Guests: Ryan Dix, OPA Liaison
Cyndi Smith, DAS HR
Jim Gardner, Walden University

INTRODUCTIONS/ROLL CALL

Dr. Ferder called the Oregon Board of Psychologist Examiners (OBPE) public session meeting to order at 12:52 p.m. on Friday, September 5, 2014, at 3218 Pringle Rd. SE, Salem, OR.

Becky Eklund spoke to the Board regarding the pilot project and her time commitment to both Boards. Ms. Eklund has decided to retire and her last day may be as soon as October 31, 2014.

Dr. Haydon introduced Dr. Ryan Dix, Psychologist from the Portland area and current OPA Liaison to the Board. Dr. Dix works for Providence as part-time faculty and part-time Integrated Psychologist. Prior to Providence, he worked at St. Charles Health in Central Oregon. He has

been a part of OPA for a couple of years, is now on the OPA board, and promoted to be our liaison. The Board welcomes Dr. Dix.

MEETING MINUTES

Mr. Hendry moved and Dr. Munoz seconded the motion to approve the July 18, 2014, Regular Board Meeting Minutes. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

FINANCIAL REPORT

The Board reviewed the current financial report. No further discussions were made.

CONSUMER PROTECTION CASES

Thirty-Day Letter Responses

Case #2014-011: Dr. Munoz moved and Dr. Jenkins seconded the motion to dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-009: Mr. Hendry moved and Dr. Munoz seconded the motion to issue a Notice of Intent to Deny Application, Reprimand, and a \$500 civil penalty. Roll call vote: Ms. Mellon-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Dr. Haydon-Aye; Dr. Jenkins-Aye; Mr. Hendry-Aye; Dr. Smith-Aye; and Dr. Ferder-Aye. The motion passed.

Case #2013-055: Mr. Hendry moved and Dr. Munoz seconded the motion to withdraw the Notice of Intent to Impose Civil Penalty and dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-005: Mr. Hendry moved and Dr. Haydon seconded the motion to add this case to the present Notice of Proposed Disciplinary action. Roll call vote: Dr. Smith-Aye; Mr. Hendry-Aye; Dr. Jenkins-Aye; Dr. Haydon-Aye; Dr. Munoz-Aye; Dr. Bjorkquist-Aye; Ms. Mellon-Aye; and Dr. Ferder-Aye. The motion passed.

Updates/Votes

Case #2011-069: Dr. Munoz moved and Dr. Bjorkquist seconded the motion to approve the request to end supervision. The Board members voted in favor of the motion, Mr. Hendry objected, and no abstentions. The motion passed.

Application #13-113: Dr. Jenkins moved and Mr. Hendry seconded the motion to approve the Stipulated Order. Roll call vote: Ms. Mellon-Aye; Dr. Bjorkquist-Aye; Dr. Munoz-Aye; Dr. Haydon-Aye; Dr. Jenkins-Aye; Mr. Hendry-Aye; Dr. Smith-Aye; and Dr. Ferder-Aye. The motion passed.

New Case Reports

Case #2013-027: Dr. Munoz moved and Dr. Smith seconded the motion to dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2013-042: Dr. Bjorkquist moved and Dr. Munoz seconded the motion to dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-019: Mr. Hendry moved and Dr. Munoz seconded the motion to issue a Thirty-Day Letter. Roll call vote: Dr. Bjorkquist-Aye; Ms. Mellon-Aye; Dr. Munoz-Aye; Dr. Jenkins-Aye; Dr. Haydon-Aye; Mr. Hendry-Aye; Dr. Smith-Aye; and Dr. Ferder-Aye. The motion passed.

Case #2014-029: Dr. Jenkins moved and Dr. Munoz seconded the motion to dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-031: Dr. Munoz moved and Mr. Hendry seconded the motion to issue a Thirty-Day Letter. Roll call vote: Dr. Bjorkquist-Aye; Ms. Mellon-Aye; Dr. Munoz-Aye; Dr. Haydon-Aye; Dr. Jenkins-Aye; Mr. Hendry-Aye; Dr. Smith-Aye; and Dr. Ferder-Aye. The motion passed.

Case #2014-032: Dr. Munoz moved and Mr. Hendry seconded the motion to dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-035: Dr. Bjorkquist moved and Mr. Hendry seconded the motion to dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-039: Mr. Hendry moved and Dr. Bjorkquist seconded the motion to dismiss the case. The Board members voted in favor of the motion, no objections, and Dr. Munoz abstained. The motion passed.

CPC Consent Agenda

Case #2014-021: Mr. Hendry moved and Dr. Munoz seconded the motion to dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-023: Dr. Munoz moved and Mr. Hendry seconded the motion to dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

Case #2014-025: Dr. Munoz moved and Mr. Hendry seconded the motion to dismiss the case. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

CE Audit

License #872, #2138, #2188: Dr. Munoz moved and Mr. Hendry seconded the motion to Suspend the licenses until they comply with the continuing education requirements and issue a

\$500 civil penalty. All board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

License #900: Mr. Munoz moved and Mr. Hendry seconded the motion to issue a \$1,000 civil penalty and require the licensee to makeup the deficient 38 continuing education hours. The Board members voted in favor of the motion, Dr. Haydon and Dr. Ferder objected, and no abstentions. The motion passed.

License #1178: Dr. Munoz moved and Mr. Hendry seconded the motion to issue a \$1,000 civil penalty and require the licensee to makeup the deficient 46 continuing education hours and the ethics requirement. The Board members voted in favor of the motion, Dr. Ferder and Dr. Haydon objected, and no abstentions. The motion passed.

The Oregon Board of Psychologist Examiners briefly adjourned Public Session to reconvene Executive Session at 1:14 p.m.

The Oregon Board of Psychologist Examiners reconvened in Public Session at 1:50 p.m.

CE Audit

License #900: Dr. Jenkins moved and Dr. Bjorkquist seconded the motion to reconsider the Board's previous action. The Board members voted in favor of the motion, Mr. Hendry objected, and no abstentions. The motion passed.

Dr. Jenkins moved and Dr. Bjorkquist seconded the motion to nullify the previous action imposing a civil penalty. The Board members voted in favor of the motion, Dr. Munoz and Mr. Hendry objected, and no abstentions. The motion passed.

License #1178: Dr. Jenkins moved and Dr. Bjorkquist seconded the motion to reconsider the Board's previous action. The Board members voted in favor of the motion, Dr. Munoz and Mr. Hendry objected, and no abstentions. The motion passed.

Dr. Jenkins moved and Dr. Haydon seconded the motion to nullify the previous action imposing a civil penalty. The Board members voted in favor of the motion, Dr. Munoz and Mr. Hendry objected, and no abstentions. The motion passed.

INVESTIGATION EXTENSIONS

Case #2013-056, #2014-014, #2014-016, #2014-018, & #2014-023

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

CRIMINAL BACKGROUND CHECKS

Ms. Felton briefed the Board regarding the current Oregon State Police (OSP) & Federal Bureau of Investigation (FBI) standards regarding access to criminal history reports. Mid-2013 the FBI revised its policies, requiring everyone who has access to Criminal Justice Information (CJI) to

be cleared. This means that all staff and board members must be fingerprinted and take a brief online test to be authorized to view background check results.

POSTING DISCIPLINE ON THE WEBSITE

Dr. Ferder spoke of this matter to the Board; most boards do post discipline to their websites. There was a recent situation with the Oregon Dental Board where a new board member and an existing board member voted to no longer post discipline to their website and the motion passed. Afterwards, there were several board members that didn't remember voting to take the discipline reports off their website and there was some public backlash. There are some arguments that say it is an invasion of privacy, punitive, a public embarrassment, etc. Ms. Felton mentioned OAR 858-020-0085 that states if a board decides to take disciplinary action to restricts, suspend, or revoke a license; notice to this effect will be published in a board's publication and posted to the boards website. Our licensees are well aware that all Board actions will be made public.

PILOT PROJECT

Cyndi Smith, DAS Human Resources, understands that the direction from the Governor's office is that the pilot project still needs to go forward and requires one Executive Director. They will begin the recruitment process immediately. It takes at least a month and a half to two months for the process to hire. An interim director is an idea; however, the back and forth adjustments are difficult. Dr. Ferder would like to see a permanent person fill the position soon. Dr. Haydon would like to wait and slow the process down. He feels that the staff from both boards should be involved and a lot of conversations should happen regarding the position description, duties, what attributes the staff needs, what the boards want the structure to look like, etc. There are some legal issues that involve the merging of staff and/or staff duties; the first is that one board is covered by the union and the other is not, the second is the source of funding is different for both boards (each are funded by their own licensees and not one source or government body). He doesn't ever see a unitary board happening unless there was at least a statute change. Ms. Smith asked Barry Pack, DAS Deputy Director, what his vision of "success" looked like for these boards and he clearly explained to her that it was for two separate boards working under the same administration. The word "merger", the ideas of staff doing each other's work and sharing of financials were never on the table and perhaps misconstrued later. The Board overall agreed with Ms. Smith and Mr. Pack's statements and that was the original impression they were given by the Governor's office when the idea of this Pilot Project was put on the table. They would like to move forward with the Pilot Project with the understanding that it is only on an administrative level for purposes of oversight, and the boards have support from outside resources to make sure it is successful. The Board would also like to move forward with looking for one office site for both of the boards. This is something that Mr. Pack will have to lead and Ms. Smith will request his presence at the next board meeting to help move the process forward.

Janelle Houston announced she has accepted a job offer for a non-profit organization in the Portland area and has formally given her two weeks' notice. She has enjoyed her time spent with both boards.

The Board took a brief break at 2:30 p.m.

REQUIRED DIVERSITY CONTINUING EDUCATION

Dr. Jenkins has been working on a proposal for requiring Cultural Competency for continuing education with Mary Peterson, Ph.D., Board Chair for OPA. Then she would like to bring it to the Board for approval. The Oregon Health Authority's Rules Advisory Committee includes psychologist Fabiana Wallis, Ph.D., who has also looked at some draft rule language and wants to know how the OBPE will begin tracking Cultural Competency CE.

APPROVE LICENSES (Vote)

Doug R. Altilio, Psy.D., Steffani R. Bailey, Ph.D., Bjorn P. Bergstrom, Psy.D., Susanne W. Duvall, Ph.D., David Fischer, Psy.D., Mary Hacopian, Psy.D., Erica L. Leeper, Psy.D., Heidi J. Meeke, Psy.D., Kacy L. Mullen, Ph.D., Delishia M. Pittman, Ph.D., Clark Slagle, Ph.D., Daniel P. Sternberg, Ph.D., Melissa L. Todd, Ph.D., Peter W. Vik, Ph.D., Jenna P. Wheeler, Ph.D., & Jamie L. Young, Psy.D.

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

PUBLIC FORUM

No public comments were made during this time.

2015 BOARD MEETING CALENDAR

The Board reviewed the proposed 2015 OBPE Calendar. Mr. Hendry moved and Dr. Munoz seconded the motion to approve the 2015 OBPE Calendar with the change of the January Board Meeting to 1/16/15. All Board members voted in favor of the motion, no objections, and no abstentions. The motion passed.

BOARD RETREAT

There was an idea to change the location due to scheduling conflicts; however, the decision was made to leave it at The Grand Hotel, Bridgeport.

STATISTICS (Information Only)

Licensure

108 new applications have been received and 68 licenses have been issued in 2014. There are currently 173 active applicants (including 66 practicing residents), and 1745 licensees: 1372 active, 192 semi-active, 178 inactive, and 3 suspended.

Consumer Protection

42 complaints have been filed in 2014. There are currently 36 open cases under investigation (including the investigation files scheduled for Board consideration): 26 licensees, 2 applicants, and 8 unlicensed practice cases. There are 2 contested cases in process, and 2 cases on appeal.

ADJOURN

The Oregon Board of Psychologist Examiners meeting adjourned at 3:00 p.m.

Respectfully Submitted:

// Fran Ferder //

Fran Ferder, Ph.D., Board Chair

November 14, 2014

Date