

**Louisiana State Board of Examiners of Psychologists**  
**BOARD MEETING MINUTES: June 8, 2012**  
**APPROVED: July 13, 2012**

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was called to order at 8:30 a.m., Friday, June 8, 2012, at 8280 YMCA Plaza Drive, Building 8-B, Baton Rouge, LA 70810. Present were Board Members, Drs. Tony Young, Lee Matthews, John Courtney and Marc Zimmermann; and, Executive Director, Kelly Parker. Dr. Julie Nelson was in partial attendance during the public hour. Dr. Culross was absent.

Dr. Young moved to accept the June 8, 2012 agenda with amendments. Dr. Zimmermann moved that the minutes of May 11, 2012 be accepted with minor corrections. Dr. Matthews seconded the motion.

Pursuant to **LSA R.S.42: 6.1(4)**, Dr. Young moved to enter Executive Session to review legal matters, conduct oral exams and file reviews. The motion passed by unanimous roll call vote of the members present as follows: Young –yea, Matthews – yea, Courtney-yea and Zimmermann-yea.

Dr. Young moved to close Executive Session to enter the following:

**Complaint Review/Legal Matters:**

- a. **Meeting NP11-12-08:** The Board met with Amy Winters, Esquire and her client, the Respondent, to discuss issues with materials distributed by the Respondent. After a thorough discussion with the parties, Dr. Courtney moved that the Board accept the matter as being satisfied and that it be closed. Dr. Matthews seconded the motion. The Board unanimously agreed and accepted the motion.
- b. **Meeting P04-05-02:** The Board met with the Respondent in this matter to discuss his progress in the IPPA agreement. After careful discussion, the Board opined that the Respondent had fulfilled the requirements of his IPPA agreement as of July 1, 2012.
- c. **Meeting P11-12-04C:** The Board met with the suggested Practice Monitor in this matter. The Board informed the Practice Monitor of the conditions of the Consent Order, and detailed their expectations for the practice monitoring relationship. The Practice Monitor agreed to meet with the Respondent and then report a plan to the Board. Dr. Young recused himself.
- d. **NP11-12-09B:** Ms. Parker presented a letter from Nicholas Trenticosta, Esquire, in response to the cease and desist letter issued to the Respondent. The Board carefully reviewed the letter and discussed the appropriate response. The Board opined that the Respondent was still obligated to register with the Board for temporary practice, and that if the practice time would be longer than 30 days in one calendar year, the Respondent would need to apply for licensure. The Board directed Ms. Parker to draft the response accordingly.

- e. ***JC v. Care Tec Specialty Nursing, LLC***: Dr. Courtney moved to table this matter until the Attorney General's Opinion is received regarding applied behavior analysis. The Board unanimously accepted this motion.
- f. ***AB v. TT***: Ms. Parker presented the email she received inquiring about a "biopsychologist" in Louisiana. The Board reviewed information about the Respondent, and opined that she was in violation of the practice act since she was not a Louisiana licensed psychologist. The Board directed Ms. Parker to prepare a cease and desist letter for the Chair's signature and approval.
- g. ***Records Access Issue (added item)***: Ms. Parker presented information to the Board regarding allegations involving a psychologist denying patient file access to former co-workers, also psychologists. The Board discussed the matter and considered it to be an immediate patient care issue. The Board directed Ms. Parker to contact the psychologist and advise him that he needed to release all active care patient records immediately for the best possible care of the clients.

#### **Supervision and Credentials Recommendations:**

Dr. Matthews reviewed and recommended the Board accept the Emeritus application of **Pamela R. Hoblit, Ph.D.** The Board unanimously accepted this recommendation.

Dr. Young reviewed and recommended the Board accept the Emeritus applications of **C. Gary Pettigrew, Ph.D. and Marsha H. Redden, Ph.D.** The Board unanimously accepted this recommendation.

Dr. Zimmermann reviewed and recommended the Board accept the Emeritus application of **John R. Pleune, Ph.D.** The Board unanimously accepted this recommendation.

Dr. Young reviewed and recommended the Board accept the Temporary Registrations of: **Stanley Smoote, Ph.D., Robert G. Stanulis, Ph.D. and Robert J. Porter, Ph.D.** The Board unanimously accepted this recommendation.

Dr. Courtney reviewed and recommended the Board accept the supervised practice plans of **Monica L. Stevens, Ph.D. and Sara Kathryn Lawling, Ph.D.** The Board unanimously accepted this recommendation.

Dr. Courtney reviewed and recommended that the Board deny the supervised practice plans of **Brittany Hernandez, Ph.D.** for not meeting the minimum requirements for weekly supervision. The Board unanimously accepted this recommendation.

Dr. Young reviewed and recommended the Board accept the Non-APA program of **Michael Smith, Ph.D.** The Board unanimously accepted this recommendation.

**Committee Reports:**

**Finance Committee:** No report.

**Oral Examination Committee:** No report.

**Legislative Coordinator:**

Ms. Parker announced that Dr. Zimmermann had been confirmed during the 2012 legislative session.

The Board carefully reviewed and discussed SR159. Ms. Parker informed the Board about important changes to the open meeting laws that occurred during legislative session. Ms. Parker informed the Board that all meeting notices must be posted on the website and on the door of the office. She also reported that no new matters could be added to the agenda the day of the meeting. Ms. Parker also noted that the agendas must provide the date, time, location and each agenda item must be described with reasonable specificity, and read aloud by the Chair, before taking any action on the item.

Ms. Parker presented the board a draft request of an Attorney General's opinion regarding the practice of applied behavior analysis. The Board carefully reviewed and discussed the draft. The Board voted unanimously to finalize the document and submit to the Attorney General's office for consideration.

**Liaison to Professional Organizations and Boards:** No report.

**Continuing Education:** Ms. Parker reported that she was completing the appropriate documents for submission of the Chapter 8 continuing education changes to the Legislative Fiscal Office.

**Complaints Committee:** No report.

**Long Range Planning Meeting:** Dr. Matthews suggested that the Board pick certain times of the year to have 2-day meetings, so that items normally added on the LRP agenda may be handled quicker, and that the members may have more time to meet in committees and work on assigned projects. The motion was accepted unanimously, and it was agreed that the dates would be addressed at the July meeting.

**Ad hoc Committee: Sunset Review:** Ms. Parker informed the Board that the Sunset process is now officially set for 2017. The Board agreed that the committee could be removed from the monthly agenda.

**Ad hoc Committee: Behavior Analysts:** This item was discussed during the Legislative Coordinator report.

**Ad hoc Committee: Real Estate:** The Board reviewed a set of properties provided by the realtor. Upon review, the Board agreed that an office space of at least 1400 sq. ft. would be preferable. Dr. Zimmermann suggested obtaining floor plans of the properties. Ms. Parker agreed to notify the realtor of the specifications and additional information needed.

**Discussion Items:**

1. **Review of Louisiana Property Assistance Agency Audit Results:** Ms. Parker reported that the Board passed the property audit and presented a letter of confirmation.
2. **School Psychologist – Mark Traina:** The Board reviewed and discussed the news articles, including LPA’s news release, surrounding the controversial statements made by school psychologist, Mark Traina. Ms. Parker confirmed that Dr. Traina was not a licensed psychologist through the Board.
3. **Accounting – 2012-2013FY Contract:** Ms. Parker informed the Board that Ouida Nugent, Board contracted accountant, had requested an increase in fees from \$50 per hour to \$75 per hour for the next fiscal year. Dr. Zimmerman also informed the Board that Ms. Nugent’s license was “inactive” through the State Certified Public Accountants Board. Dr. Courtney moved to direct Ms. Parker to find comparable accounting services in the area before making a decision on the 2012-2013FY contract. The Board unanimously accepted the motion.
4. **McGlinchey Stafford, PLLC – 2012-2013FY Contract:** Ms. Parker requested that the Board reconsider the 2012-2013FY contract for Deb Harkins, Esquire. At the time of the meeting, a current invoice was not available. The Board agreed to consider the matter once a current invoice was obtained.
5. **Letter of Understanding – State of Louisiana Office of Computing Services:** Ms. Parker presented the Board with a Letter of Agreement for email services for FY 12-13. The agreement would provide staff, Board members, and contracted staff email addresses at “la.gov”. The Board unanimously accepted the arrangement.
6. **Yearly Review for Board Staff (LSA-R.S.42:6.1):** The Board held yearly reviews of Board staff, Jacqueline Lively and Kelly Parker. The Board voted to increase board staff salaries by 3% each, effective July 1, 2012.

Meeting Adjourned: 3:15 p.m.