

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Friday, March 22, 2019

FINAL APPROVED: May 23, 2019

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed and agenda posted on, Thursday, March 21, 2019. Dr. Jesse Lambert called the meeting to order at 9:00 a.m. on Friday, March 22, 2019 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, LA 70816. Present were Board Members, Drs. Jesse Lambert, Koren Boggs, Leah Crouch, and Gregory Gormanous; Executive Director, Jaime T. Monic; and Attorney Courtney P. Newton. Dr. Amy Henke was absent. Drs. Kim VanGeffen and Alan Coulter were present for the open meeting.

Dr. Lambert opened the meeting by reading the Board's Declaration of Purpose.

Dr. Gormanous requested that his statement of service be recorded into the minutes as follows: *"My serving on LSBEP is to ensure that consumers of psychological services are protected against any unqualified, harmful and unauthorized practice, application or use of psychology. My service is as a consumer advocate and educator. My service is not as a market participant."*

Dr. Gormanous requested to amend the agenda item entitled "Request for Ethics Opinion regarding Dual Office Holding" and change the name to "Request for Ethics Opinion regarding Conflict of Interest"; add an item for discussion entitled "Inquiry from Marc Zimmermann regarding Neuropsychology"; and add an executive session item for discussion under Complaints titled "JC etal Rec'd 3/21/2019". Dr. Boggs moved in favor of approve the agenda with changes requested by Dr. Gormanous. The Board discussed the motion to amend the agenda. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

The Board reviewed the minutes of January and February 2019. Dr. Boggs moved in favor of accepting the minutes of January 2019 as amended. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA. Dr. Gormanous moved in favor of accepting the minutes of February 2019. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

Dr. Boggs moved to enter Executive Session to meet with Brittany Joslyn to review and discuss her application for licensure. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

Dr. Gormanous moved to exit Executive Session. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA. Dr. Gormanous proposed, in light of receiving information related to Brittany Joslyn's credentials and amended competencies, that the board consider continuing her oral examination at 4:00 PM, this date. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

COMMITTEE REPORTS:

Executive Director Report - Ms. Monic updated the board on the following:

- The 2018 Audit has not been initiated due to being short staffed;
- The LSSP Meeting was held on March 19, 2019;

- No update in the matter: Nineteenth Judicial District; Parish of East Baton Rouge, State Of Louisiana, Division D, No.: 643,369: Glenn W. Ahava, Ph.D. v. LSBEP, on Appeal From September 18, 2015, Opinion and Order of the Louisiana State Board of Examiners of Psychologists;
- In the Matter Eric Cerwonka vs. Louisiana State Board of Examiners of Psychologists: On March 21, 2019 Judge Caldwell signed an order for suspensive appeal, a \$10K bond is required prior to the suspension of Judge Caldwell's order of February 20, 2019.
- Ms. Monic reported travel arrangements had been finalized for the ASPPB meeting is in Santa Fe, NM April 11-14, 2019.
- Ms. Monic reminded members of approved actions still pending completion including Online Jurisprudence Examination; updated application forms and military application process;
- Members were reminded to submit Expense reports for mileage and per diem reimbursements.

Liaison to Professional Organizations and Boards – Dr. Gormanous reported that Margo Adams from FARB reached out to discuss conducting a Comprehensive Regulatory Training for the board. Since the last board training was conducted in 2015, Dr. Gormanous suggested this was something the board may want to consider. Dr. Lambert requested that Ms. Monic explore the opportunity and report back to the board.

Supervision and Credentials Review Committee – Dr. Crouch reported file reviews would be conducted this date in Executive Session. Ms. Monic reported on the closing of Argosy University and potential impacts on students going through their doctoral training program. The board discussed the matter and determined that there would be no impact if those students transfer to a university that is APA accredited.

Complaints Committee - Reported 10 matters are scheduled to be reviewed this date in Executive Session.

Oral Examination Committee – Dr. Boggs reported 2 oral examinations were scheduled to be conducted this date in Executive Session.

Finance Committee - The board reviewed financial reports for December 2018 and January 2019. Dr. Gormanous moved in favor of accepting the financial reports as prepared by Valerie Dominique. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

There was no report from the following committees: **Jurisprudence Examination, Long Range Planning, Legislative Oversight or Continuing Professional Development.**

DISCUSSION/ACTION ITEMS

1. Board Meeting Dates: The Board reviewed and approved the following upcoming meeting dates for regular meetings and potential hearings: July, August, September

2. Upcoming Board Vacancy: Dr. Leah Crouch advised the LSBEP that she had submitted her resignation from the board to the Division of Administration, Office of Boards and Commissions, effective May 16, 2019, due to her move out of the country. The Board discussed expedited procedures for filling the unexpected vacancy and authorized Ms. Monic to request LPA send a liaison to assist in vetting qualified candidates for a shortened nomination and election period. Which election results should be completed be presented at the regular meeting of the board scheduled for May 23, 2019.

3. 2018 Election Results: The Board opened election results from the election concluded on March 16,

2019. A certified copy of the results were hand-delivered to Dr. Kim VanGeffen LPA Liaison. The results were read into the record as follows:

Turnout: 255 (32.2%) of 791 electors voted in this ballot.

Michelle B. Moore, Psy.D. 111 (45.7%)

Gina L. Beverly, Ph.D. 73 (30.0%)

Lauren W. Rasmussen, Psy.D. 35 (14.4%)

Lisa L. Tropez-Arceneaux, Psy.D. 24 (9.9%)

Abstain 12 (4.7%)

4. LSPA Fall Conference November 2019 – Ms. Monic reported that the LSSP Committee had again been invited to present at the LSPA Fall Conference. Dr. Boggs moved in favor of the Committee's participation with an emphasis that the presentation be educational and not advocating. The board unanimously approved the motion.

5. La. Psychological Association 71st Annual Conference – Invitation to Conduct Ethics Presentation (2 hours) – The Board received and considered the invitation from LPA President, Julie Nelson to provide a 2-hour ethics presentation to participants in a format similar to last year's presentation. The Board considered the invitation and by motion of Dr. Gormanous, unanimously approved Courtney Newton, a board member and executive director, to present on ethics and the role of the board vs. the mission of the association, with one board member.

6. Board Approved Evaluators – The Board received, reviewed and discussed the credentials of the individuals who submitted their vita and redacted evaluations to be included on the Board Approved Evaluator list. The following individuals were approved to provide evaluations in their area of practice as follows: Darrel V. Turner, Ph.D., Keith Westerfiels, MP, MSCP, Erica Meyers, Ph.D. Irving A. Arevalo, Ph.D., Michael Chafetz, Ph.D., ABPP, Raphael Salcedo, Ph.D.

7. Inquiry from Diane Franz, Children's Hospital regarding Psychologist Informed Consent – The Board discussed the inquiry from Dr. Diane Franz regarding the requirement for psychologists to maintain a separate informed consent from that of a hospital institution. The board determined that it would be prudent to document informed consent where the generic hospital consent falls shy of covering the ethical obligations of licensed psychologists. L. Crouch moved in favor of developing and advisory opinion relative to informed consent and documentation thereof. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

8. ASPPB, Board Nomination; Fellow Nomination and Ming Fisher Award Nomination – In response to the board's directive in February 2019, Ms. Monic reviewed potential nominees for ASPPB's Ming Fisher Award. Ms. Monic suggested the Board support the nomination of Mr. Darrel Spinks, Executive Director from our neighboring state of Texas. Ms. Monic stated that Mr. Spinks, is very active in ASPPB, has been very receptive to communications and sharing information with the LSBEP and has faced quite a few challenges in regulation during this period when legislative goals do not match the goals of professional associations. The board discussed the matter and by motion of Dr. Gormanous, unanimously accepted the recommendation to support a nomination for Mr. Darrel Spinks for the 2019 ASPPB Ming Fisher Award.

9. Contract Amendment – Taylor, Porter, Brooks and Phillips - The board discussed a contract amendment for Taylor Porter. The following Motion and Resolution was offered by Gregory Gormanous, Ph.D. who moved for its adoption, and seconded by Koren Boggs, Ph.D.:

WHEREAS the BOARD is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, ...general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and *WHEREAS* the BOARD licenses psychologists and specialists in school psychology, conducts hearings on complaints concerning the disciplining of licensees, and may cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and *WHEREAS* the BOARD requires the continuing services of an attorney who specializes in administrative law to provide general counsel to the board in carrying out its functions; and *WHEREAS* the BOARD is currently in a multi-year contract with Taylor, Porter, Brooks and Phillips, LLP to provide these services; and *WHEREAS* the funding for the current contract has been exhausted due to litigation in the following matters: 19TH JDC, EBR Parish, Eric Cerwonka v. BOARD, No.656,587 Div. I; 1ST LOUISIANA CIRCUIT COURT OF APPEALS No 2017-CA-1199, Appeal from the 19th JDC; and La. Supreme Court Case No. 2018-C-760, requiring an amendment to the total amount of the contract. *WHEREAS* an increase of \$15,000 has been approved to be added to the contract amount, increasing the total amount of the three year contract to \$83,000 for the remainder of the contract through Fiscal Year June 30, 2019; and *WHEREAS* the Board authorizes Ms. Jaime Monic, Executive Director, to facilitate this contract in accordance with the policies, procedures, regulatory and statutory contracting requirements of the state; and *WHEREAS*, this resolution shall take effect immediately.

THEREFORE BE IT RESOLVED that the Louisiana State Board of Examiners of Psychologists, pursuant to R.S. 37:2353.C(2), does hereby retain and employ Taylor, Porter Brooks & Phillips, L.L.P. as general counsel; and BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

10. Contract Review and Considerations for 2019-20FY

a. The Board reviewed and discussed a contract amendment for **Sasha J. Lambert, Ph.D.**. The following Motion and Resolution was offered by **Gregory Gormanous, Ph.D.** who moved for its adoption, and seconded by **Leah Crouch, Psy.D.**: *WHEREAS* the Board is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, ...general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and *WHEREAS* the Board conducts hearings on complaints, cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and *WHEREAS* the nature of the functions performed by the Board require the continuing services of a COMPLAINTS COORDINATOR who is a licensed psychologist, with experience in forensics, to review complaints and direct the investigation of complaints; and *WHEREAS* potential conflicts of interest may arise, the Board requires more than one individual to serve in this role; and *WHEREAS* the Sasha J. Lambert, Ph.D. has been found to be qualified for this position and previously contracted with Board to provide these services to the satisfaction of the Board; and *WHEREAS* the current hourly rate of pay by the Complaints Coordinator for the review of a Request for Investigation, which is capped at \$200 per case is not sufficient for the amount of documents reviewed per case. *WHEREAS*, this resolution shall take effect immediately. *IT THEREFORE RESOLVES* the current hourly rate of pay by the Complaints Coordinator for the review of a Request for Investigation, be amended and increased to a maximum amount of \$300 per case. *FURTHER THAT* the Board authorize Ms. Jaime Monic, Executive Director, to execute such contract for approval through the Office of State Procurement.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

b. The Board reviewed and discussed continuing a contract with **Erin Skaff Vandenweghe, Psy.D.** for the 2019-20 FY: The following Motion and Resolution was offered by **Gregory Gormanous, Ph.D.** who moved for its adoption, and seconded by **Koren Boggs, Ph.D.**: *WHEREAS* the Board is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, . . . general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and *WHEREAS* the Board conducts hearings on complaints, cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and *WHEREAS* the nature of the functions performed by the Board require the continuing services of a COMPLAINTS COORDINATOR who is a licensed psychologist, with experience in forensics, to review complaints and direct the investigation of complaints; and *WHEREAS* potential conflicts of interest may arise, the Board requires more than one individual to serve in this role; and *WHEREAS* the Erin Skaff Vandenweghe, Psy.D. has been found to be qualified for this position and previously contracted with Board to provide these services to the satisfaction of the Board; IT THEREFORE RESOLVES by motion of **Dr. Gregory Gormanous** that the Board contract with Erin Skaff Vandenweghe, Psy.D. to provide services as **Complaints Coordinator II**, for a fiscal-year beginning July 1, 2019 and ending June 30, 2020 for an amount not to exceed a maximum of \$5,000. BE IT FURTHER RESOLVED that the hourly rates of pay for the position of Complaints Coordinator shall be:

- \$100 per hour, payable upon completion of a review of a Request for Investigation, with a preliminary and final recommendation to the Board, such review shall not exceed \$300 per case.
- \$100 per hour, payable upon completion of a review/proof of an Administrative Complaint pleading, not to exceed \$100.
- \$100 per hour for all meetings, including training and meetings with attorneys, investigator, executive director, board, and preliminary hearings.
- Travel and lodging may be reimbursed, if pre-approved/pre-authorized by the Executive Director. However, travel and other allowable expenses shall be reimbursed in accordance with the Division of Administration State General Travel Regulations, within the limits established for State Employees as defined in Division of Administration Policy and Procedure Memorandum No. 49. All out of state travel will be subject to prior approval by the Executive Director of the agency or his/her designee.”

BE IT FURTHER RESOLVED that the Board authorize Ms. Jaime Monic, Executive Director, to execute such contract for approval through the Office of State Procurement; BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

c. The Board reviewed and discussed continuing a contract with **Mark P. Vigen, Ph.D.** The following Motion and Resolution was offered by **Koren Boggs, Ph.D.** who moved for its adoption, and seconded by **Gregory Gormanous, Ph.D.**: *WHEREAS* the Board is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, . . . general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and *WHEREAS* the Board conducts hearings on complaints, cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against

unauthorized, unqualified, and improper application of psychology; and *WHEREAS* the nature of the functions performed by the Board require the continuing services of a COMPLAINTS COORDINATOR who is a licensed psychologist, with experience in forensics, to review complaints and direct the investigation of complaints; and *WHEREAS* potential conflicts of interest may arise, the Board requires more than one individual to serve in this role; and *WHEREAS* the Mark P. Vigen, Ph.D. has been found to be qualified for this position and previously contracted with Board to provide these services to the satisfaction of the Board; *WHEREAS* the hourly rates of pay for the position of Complaints Coordinator shall be:

- \$100 per hour, payable upon completion of a review of a Request for Investigation, with a preliminary and final recommendation to the Board, such review shall not exceed \$300 per case.
- \$100 per hour, payable upon completion of a review/proof of an Administrative Complaint pleading, not to exceed \$100.
- \$100 per hour for all meetings, including training and meetings with attorneys, investigator, executive director, board, and preliminary hearings.
- Travel and lodging may be reimbursed, if pre-approved/pre-authorized by the Executive Director. However, travel and other allowable expenses shall be reimbursed in accordance with the Division of Administration State General Travel Regulations, within the limits established for State Employees as defined in Division of Administration Policy and Procedure Memorandum No. 49. All out of state travel will be subject to prior approval by the Executive Director of the agency or his/her designee.”

IT THEREFORE RESOLVES by motion of Dr. Gregory Gormanous that the Board contract with Mark P. Vigen, Ph.D. to provide services as **Complaints Coordinator III**, for a fiscal-year beginning July 1, 2019 and ending June 30, 2020 for an amount not to exceed a maximum of \$5,000.

BE IT FURTHER RESOLVED that the Board authorize Ms. Jaime Monic, Executive Director, to execute such contract for approval through the Office of State Procurement.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

d. The Board reviewed and discussed continuing a contract with **Tony McCoy d/b/a Statewide Surveillance & Investigations**. The following Motion and Resolution was offered by Gregory Gormanous Ph.D. who moved for its adoption, and seconded by Leah Crouch, Psy.D. : *WHEREAS* the Board is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, ...general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and *WHEREAS* the Board conducts hearings on complaints, cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and *WHEREAS* the nature of the functions performed by the Board require the continuing services of a Licensed Private Investigator to fulfill this function; and *WHEREAS* has Statewide Surveillance & Investigations provides the services of Licensed Private Investigators who are uniquely qualified for this position and have previously contracted with Board to provide investigative services to Board to their satisfaction; and *WHEREAS* the hourly rates shall be \$60 per hour for investigative work; and *IT THEREFORE RESOLVES* by motion of Dr. Gormanous that the Board contract with Statewide Surveillance & Investigations for an amount not to exceed \$12,000, to provide investigatory services beginning July 1, 2019 and ending June 30, 2020. The contract to commence at the following rates of pay: *\$60 per hour for investigative work; Travel and lodging may be reimbursed, if pre-approved/pre-*

authorized by the Executive Director. However, travel and other allowable expenses shall be reimbursed in accordance with the Division of Administration State General Travel Regulations, within the limits established for State Employees as defined in Division of Administration Policy and Procedure Memorandum No. 49. All out of state travel will be subject to prior approval by the Executive Director or his/her designee.” BE IT FURTHER RESOLVED that the Board authorize Ms. Jaime Monic, Executive Director, to execute such contract for approval through the Office of State Procurement. BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

e. The Board reviewed and discussed continuing a contract with **Valerie Dominique**. The following Motion and Resolution was offered by **Gregory Gormanous, Ph.D.** who moved for its adoption, and seconded by Koren Boggs, Ph.D.): *WHEREAS* the Board is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, ...general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and *WHEREAS* the Board is authorized under R.S. 37:2353.G to be “...financially self-sufficient...receive no state funds through appropriation or otherwise and shall not expend any such state funds...” and is further authorized to collect fees under R.S. 37:2354 *et al* which “...shall be paid into the treasure of the State Board of Examiners of Psychologist and may be expended by the board without appropriation for costs of administration and other expenses, and any surplus at the end of a fiscal year or a biennium may be retained by the board for future expenditures and the board is not required to pay any such surplus into the general fund of the state of Louisiana.”; and *WHEREAS* the nature of the functions performed by the Board require the services of a Certified Public Accountant to fulfill this function; and *WHEREAS* Valerie Dominique has been found to be qualified for this position and has previously contracted with Board to provide accounting services to Board to their satisfaction; and IT THEREFORE RESOLVES by motion of **Dr. Gregory Gormanous**, that the Board contract the services of Valerie Dominique, Certified Public Accountant in an amount not to exceed \$6,000, to furnish general accounting services, including but not limited to: assist with providing information for the annual compilation; prepare monthly financial reports including: General Ledger, Profit and Loss (budget vs. actual) FY to date, Balance Sheet, and a financial status report; prepare all federal, state and local tax reports; and prepare other financial reports/documents for government agencies, as needed, upon request of the Executive Director for the fiscal year beginning July 1, 2019 and ending June 30, 2020. The contract to commence at the following rates of pay: \$60 per hour for accounting services, payable on a monthly basis and upon receipt of an itemized statement of services performed. BE IT FURTHER RESOLVED that the hourly rates shall be \$60 per hour for accounting services, payable on a monthly basis and upon receipt of an itemized statement of services performed; and BE IT FURTHER RESOLVED that the Board authorize Ms. Jaime Monic, Executive Director, to execute such contract for approval through the Office of State Procurement. BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

f. The Board reviewed and discussed continuing a contract with **Taylor, Porter, Brooks and Phillips, LLP**. The following Motion and Resolution was offered by Koren Boggs, Ph.D. who moved for its adoption, and seconded by Gregory Gormanous, Ph.D.: *WHEREAS* the BOARD is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, ...general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and *WHEREAS* the BOARD licenses psychologists and specialists in school psychology, conducts hearings on complaints concerning the disciplining of licensees, and may cause the prosecution and enjoinder of all persons in

violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and *WHEREAS* the BOARD is currently in a multi-year contract with Taylor, Porter, Brooks and Phillips, LLP to provide these services which ends June 30, 2019 and under this contract utilizes the services of Attorney Lloyd J. Lunceford and Attorney Amy Lowe; and *WHEREAS* the BOARD requires the continuing services of an attorney who specializes in administrative law to provide general counsel to the board in carrying out its functions; and *WHEREAS* Attorney Lloyd J. Lunceford and Attorney Amy Groves Lowe have been found to be uniquely qualified for this position and has previously provided these services to the satisfaction of the Board; and THEREFORE BE IT RESOLVED that the Louisiana State Board of Examiners of Psychologists, pursuant to La. R.S. 42:262, does hereby retain and employ the legal services of Taylor, Porter, Brooks & Phillips, LLC through a multi-year contract beginning July 1, 2019 through June 30, 2022; and BE IT FURTHER RESOLVED that the hourly rates shall be \$225 per hour for services of partners or associates with experience in the practice of law of 10 years or more; \$175 per hour for services of partners or associates with experience in the practice of law of 5 to 10 years; \$150 per hour for services of partners or associates with experience in the practice of law of 3 to 5 years; \$125 per hour for services of partners or associates with experience in the practice of law of less than 3 years; \$60 per hour for paralegal services; \$40 per hour for law clerk services. A total amount not to exceed \$45,000 for the term of the contract; and BE IT FURTHER RESOLVED that the Board authorize Ms. Jaime Monic, Executive Director, to request and execute the terms of a contract with the Taylor, Porter, Brooks & Phillips, LLC in accordance with the policies, procedures, regulatory and statutory contracting requirements of the state; and BE IT FURTHER RESOLVED, this resolution shall take effect immediately. BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

g. Dr. Gormanous moved in favor of contracting with **Deborah Harkens** for an amount not to exceed \$1900 though the end of the fiscal year (June 30, 2019) and if needed continuing through FY 2019-20 for assistance with legislative matters, Dr. Leah Crouch seconded this motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

e. The following Motion and Resolution was offered by Gregory Gormanous, Ph.D. who moved for its adoption, and seconded by Leah Crouch, Psy.D. at the **March 22, 2019**, meeting of the Louisiana State Board of Examiners of Psychologists (the “Board”): *WHEREAS* the BOARD is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, ...general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and *WHEREAS* the BOARD conducts hearings on complaints, cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and *WHEREAS* the BOARD requires the services of an attorney who specializes in administrative law to serve as an administrative law judge or hearing officer in matters adjudicated by the board to fulfill this function and in order to ensure the proper conduct of the proceedings in accordance with the law; and *WHEREAS* the BOARD currently contracts with the Louisiana Office of the Attorney General who employs attorneys who are uniquely qualified to fulfill such services and which services have been previously provided so to the satisfaction of the Board. THEREFORE BE IT RESOLVED that the Louisiana State Board of Examiners of Psychologists, pursuant to La. R.S. 42:262, does hereby retain and employ the Office of the Attorney General as special counsel; and BE IT FURTHER RESOLVED that the hourly rates shall be \$225 per hour for services of partners or associates with experience in the practice of law of 10 years or more; \$175 per hour for services of partners or associates with experience in the practice

of law of 5 to 10 years; \$150 per hour for services of partners or associates with experience in the practice of law of 3 to 5 years; \$125 per hour for services of partners or associates with experience in the practice of law of less than 3 years; \$60 per hour for paralegal services; \$40 per hour for law clerk services. A total amount not to exceed \$5,000 for Fiscal Year July 1, 2019 through June 30, 2020; and BE IT FURTHER RESOLVED the Board authorizes Ms. Jaime Monic, Executive Director, to request and negotiate the terms of a contract with the AG's office in accordance with the policies, procedures, regulatory and statutory contracting requirements of the state; and BE IT FURTHER RESOLVED that this resolution shall take effect immediately; and BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

f. The following Motion and Resolution was offered by Gregory Gormanous, Ph.D. who moved for its adoption, and seconded by Leah Crouch, Psy.D. at the **March 22, 2019**, meeting of the Louisiana State Board of Examiners of Psychologists (the "Board"): *WHEREAS* the BOARD is authorized under R.S. 37:2353.C(2) to "Employ, within the limits of funds received by the Board, ... general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and *WHEREAS* the BOARD conducts hearings on complaints, cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and *WHEREAS* the BOARD requires the services of an attorney who specializes in administrative law to serve as an administrative law judge or hearing officer in matters adjudicated by the board to fulfill this function and in order to ensure the proper conduct of the proceedings in accordance with the law; and *WHEREAS* the BOARD currently contracts with the **Law Office of Gray Sexton (Attorneys Grey Sexton and Alesia Ardoin)** who employs attorneys who are uniquely qualified to fulfill such services and which services have been previously provided so to the satisfaction of the Board. THEREFORE BE IT RESOLVED that the Louisiana State Board of Examiners of Psychologists, pursuant to La. R.S. 42:262, does hereby retain and employ the **Law Office of Gray Sexton (Attorneys Grey Sexton and Alesia Ardoin)** as special counsel; and BE IT FURTHER RESOLVED that the hourly rates shall be \$225 per hour for services of partners or associates with experience in the practice of law of 10 years or more; \$175 per hour for services of partners or associates with experience in the practice of law of 5 to 10 years; \$150 per hour for services of partners or associates with experience in the practice of law of 3 to 5 years; \$125 per hour for services of partners or associates with experience in the practice of law of less than 3 years; \$60 per hour for paralegal services; \$40 per hour for law clerk services. A total amount not to exceed \$5,000 for Fiscal Year July 1, 2019 through June 30, 2020; and BE IT FURTHER RESOLVED the Board authorizes Ms. Jaime Monic, Executive Director, to request and negotiate the terms of a contract with the AG's office in accordance with the policies, procedures, regulatory and statutory contracting requirements of the state; and BE IT FURTHER RESOLVED that this resolution shall take effect immediately; and BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval.

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

11. LSBEP Approved Signatories on Financial Accounts – The board reviewed current signatories on banking accounts and by motion of Dr. Gregory Gormanous, seconded by Dr. Leah Crouch, approved the following resolution:

“RESOLVED, that Neighbors Federal Credit Union (“Credit Union”) be and is hereby designated a depository in which the funds of the Company may, from time to time, subject to the rules, regulations

and by-laws of the Credit Union, be deposited by any of the following listed authorized signatories for the Company and as to all deposit and other accounts maintained by the Company at the Credit Union (“Authorized Signatories”):

Jaime T. Monic
Koren Boggs
Amy M. Henke

The above listed Authorized Signatories are hereby authorized to act for the Company and in the Company’s name to endorse for deposit with Credit Union, whether in demand or time accounts, or for negotiation or collection, any and all checks, drafts, notes, certificates of deposit or other instruments or orders for the payment of money payable to the Company, which endorsement may be in writing, by stamp, or otherwise, with or without designation or signature of the person so endorsing, it being understood that on all such items all prior endorsements are guaranteed by the Company, irrespective of the lack of an express guarantee in the endorsement of the Company.

FURTHER RESOLVED, that Credit Union is hereby authorized and directed to recognize any of the signatures of Authorized Signatories for the payment of funds from the Company’s deposit accounts with Credit Union and for the transaction of any and all business of the Company with said Credit Union.

FURTHER RESOLVED, that Credit Union is hereby authorized and directed to honor and pay and charge to the accounts of the Company any checks, drafts, notes or other orders for payment, withdrawal or transfer of funds or money deposited in the account or to the credit of the Company and any instructions regarding the same, and any authorizations for the transfer of funds between different accounts of the Company, whether oral, by phone or electronic means without inquiry as to the circumstances related thereto and for whatever purpose or to whomever payable, including requests for conversion of the same into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any person signing the same or any other individual, agent or employee of the Company, when signed, accepted, endorsed or approved as evidenced by original or facsimile signature by any of the Authorized Signatories.

FURTHER RESOLVED, that the Company assumes full responsibility and holds harmless the Credit Union for any and all payments made or any other actions taken by Credit Union in reliance upon the signatures, including facsimiles thereof, of any Authorized Signatory, regardless of whether or not the facsimile signature was unlawful or unauthorized and regardless of by whom or by what means the purported signature or facsimile signature may have been affixed to the instrument if such signatures reasonably resemble the specimen or facsimile signatures as provided to Credit Union, or for refusing to honor any signatures not provided to Credit Union, and that the Company agrees to indemnify Credit Union against all claims, demands, losses, costs, damages or expenses suffered or incurred by Credit Union resulting from or arising out of any such payment or other action.

FURTHER RESOLVED, this resolution shall continue in full force and effect until written notice of revocation has been duly received by Credit Union and Credit Union has had reasonable opportunity to act thereon.

FURTHER RESOLVED, the Secretary is hereby authorized and directed from time to time to add to or remove one or more persons who are Authorized Signatories to the Company’s Signature Card on file with Credit Union, and Credit Union shall be entitled to rely upon such statement until it receives a later statement of such person or persons changing such names.”

The resolution having been submitted to a vote, passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

12. University of New Orleans – The Board had a follow up discussion regarding the meeting with representatives from the University of New Orleans, Developmental Program. Dr. Boggs recommended that going forward in revising the regulations, that the board define procedures for verifying non-APA Accredited Programs and training requirements for licensure of individuals who will not be engaging in clinical practice, but who are qualified to offer services which are considered the practice of psychology to groups or organizations. Dr. Gormanous offered a motion in favor of this recommendation. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

Further, Dr. Crouch recommended that the procedures for review of these programs be revised to require a primary source signature verification from the Department Head, attesting to program requirements being met. Dr. Boggs agreed to draft this document for review.

13. Electronic Communications Policy – The board reviewed a draft communications policy recommended, Dr. Boggs moved in favor of approval and distribution to employees and contractors, following legal review. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

14. Request for Ethics Opinion regarding ~~Dual Office Holding~~ – Dr. Gormanous sought input from the members of the LSBEP regarding his proposed participation in the American Psychological Associations, Division 52 – Division of International Psychology as Vice President for Initiatives. The Board discussed the matter and agreed that it would be appropriate for Dr. Gormanous to request an Ethics Opinion related to potential conflicts.

15. Rulemaking Initiatives - 2018-19 – The Board discussed rulemaking initiatives and continues to work on the following proposed amendments:

- a. **Proposed Rules: Continuing Education Requirements, Exemptions and Fees (LAC 46:LXIII. 601, 603, 803, 805, 811, 905 and 4001)**
- b. **Chapter 15. Rules for Disciplinary Actions**
- c. **Reciprocity Applications**
- d. **Applied Health Care Specialty/Applied General License**
- e. **Telepsychology**

EXECUTIVE SESSION:

Dr. Gormanous moved to enter Executive Session pursuant to LSA R.S.42:17.A(4) to review complaints and conduct file reviews. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

By motion of Dr. Gormanous, the Board unanimously agreed to close executive session to enter the following into the record:

COMPLAINTS [LSA R.S. 42.17.A(4)]:

1. In the matter P17-18-04C - Ms. Monic provided a status related to Dr. Christopher Garner's compliance with the Consent Order in this matter.

2. P16-17-14C and P17-18-11C – In accordance with La. R.S. 46:906.A., in order to avoid ex parte consultations and in order to preserve the impartiality of board members eligible to serve on future

hearing panels in this matter, Drs. Gregory Gormanous was recused from and was not present for any discussion of this matter. Dr. Leah Crouch was brought into the discussion. Attorney Newton provided a current status to the Board members present (Drs. Lambert, Boggs, and Crouch), including current disposition, and preparation for future proceedings. The committee affirmed proceeding with final notice of charges in the form of the draft administrative complaint, including 30-days to respond accordingly, and invitation to meet face to face with representatives of the Complaints Committee (including Attorney Newton, Dr. Boggs (Board Member), Dr. Mark Vigen (Complaints Coordinator) and Investigator Tony McCoy).

3. In the matter filed by DA, Rec'd 2-11-19 (NP) -

4. In the matter filed by SM, Rec'd 2-4-19 - Dr. Sasha Lambert presented this matter to the board in executive session, with a recommendation to dismiss the matter, finding insufficient evidence to support a violation of laws or regulations governing the practice of psychology to warrant further action. Dr. Jesse Lambert, having reviewed all of the documentation presented by the complainant, affirmed the recommendation of LSBEP Complaints Coordinator, Dr. Sasha Lambert and moved in favor of closing the matter. Dr. Gormanous seconded the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

5. In the matter filed by KM, Rec'd 11-28-18 - Dr. Sasha Lambert presented this matter to the board in executive session, with a recommendation to dismiss the matter, finding insufficient evidence to support a violation of laws or regulations governing the practice of psychology to warrant further action. Dr. Jesse Lambert, having reviewed all of the documentation presented by the complainant, affirmed the recommendation of LSBEP Complaints Coordinator, Dr. Sasha Lambert and moved in favor of closing the matter. Dr. Gormanous seconded the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

6. In the matter filed by RM, Rec'd 11-28-18 - Dr. Sasha Lambert presented this matter to the board in executive session, with a recommendation to dismiss the matter, finding insufficient evidence to support a violation of laws or regulations governing the practice of psychology to warrant further action. Dr. Jesse Lambert, having reviewed all of the documentation presented by the complainant, affirmed the recommendation of LSBEP Complaints Coordinator, Dr. Sasha Lambert and moved in favor of closing the matter. Dr. Gormanous seconded the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

7. In the matter filed by DM, Rec'd 11-28-18 - Dr. Sasha Lambert presented this matter to the board in executive session, with a recommendation to dismiss the matter, finding insufficient evidence to support a violation of laws or regulations governing the practice of psychology to warrant further action. Dr. Jesse Lambert, having reviewed all of the documentation presented by the complainant, affirmed the recommendation of LSBEP Complaints Coordinator, Dr. Sasha Lambert and moved in favor of closing the matter. Dr. Gormanous seconded the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

8. NP18-19-03P – Dr. Greg Gormanous presented this matter and the response of the non-psychologist respondent to the board in executive session. Dr. Gormanous, recommended that the board continue its investigation and notify the organization employing the services of the unlicensed individual of the statutory requirements for licensure. Dr. Jesse Lambert moved in favor of the recommendation of Dr.

Gormanous. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Gormanous - YEA.

9. **NP17-18-13C** – The Board reviewed and approved the final closure letter in this matter, which was officially closed in a previous meeting.

ORAL EXAMINATIONS [LSA-R.S. 42.16.1]:

Dani S. Archie, Ph.D. appeared before Board Members, Drs. Lambert, Boggs, and Gormanous for an oral examination for licensure in Counseling Psychology. The board discussed **Dr. Archie's** performance and qualifications in executive session. Finding that **Dr. Archie** has met the qualifications for licensure and received the required training for practice in the area of Counseling Psychology, Dr. Lambert moved that **Dr. Archie** be granted a license to practice psychology with a declared specialty in Counseling Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert- YEA, Boggs- YEA, Crouch– YEA, Gormanous – YEA.

Sarah Thomas, Ph.D. appeared before Board Members, Drs. Lambert, Boggs, Crouch and Gormanous for an oral examination for licensure in Clinical Psychology. The board discussed **Dr. Thomas'** performance and qualifications in executive session. Finding that **Dr. Thomas** has met the qualifications for licensure and received the required training for practice in the area of Clinical Psychology, Dr. Gormanous moved that **Dr. Thomas** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert- YEA, Boggs- YEA, Crouch– YEA, Gormanous – YEA.

Brittany Joslyn, Ph.D. appeared before Board Members, Drs. Lambert, Boggs, Crouch and Gormanous for an oral examination for licensure in psychology with no declared specialty. The board discussed **Dr. Joslyn's** performance and qualifications in executive session. Finding that **Dr. Joslyn** has met the qualifications for licensure and received the required training for practice in the area of general applied psychology, Dr. Gormanous moved that **Dr. Joslyn** be granted a license to practice psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert- YEA, Boggs- YEA, Crouch– YEA, Gormanous – YEA.

SUPERVISION/CREDENTIALS COMMITTEE: APPLICANT/LICENSE FILE REVIEWS [LSA-R.S. 42.17.A(1)]

Dr. Lambert reviewed and presented the Application for Provisional Licensure for **Sean LaJaunie, Ph.D.** to the Board, finding that the criteria under the Louisiana Administrative Code, Title 46, Part LXIII. (LAC) §102.A.7., §103.A.5 or §103.A.6. to be admitted to Candidacy or granted Provisional Licensure had not yet been met, Dr. Lambert offered a motion to advise the applicant of the requirements and deficiencies that must be satisfied prior to being admitted as a candidate for licensure. The Board discussed the motion. The motion passed unanimously.

Anna M. Young Pardue, M.A., S.S.P. - The LSBEP considered the recommendation of the LSSP Committee, to grant **Ms. Pardue** licensure as a Specialist in School Psychology upon receipt of passing the LSSP Jurisprudence Examination. Dr. Gormanous moved in favor of accepting the recommendation and issue a license to **Ms. Pardue**. The motion passed unanimously.

Dr. Crouch reviewed the Temporary Registration of **Dr. Robert Shaffer** (Georgia). Dr. Crouch, finding the requirements for Temporary Registration had been met and were suitable for a temporary practice provision, recommended the Board approve the Temporary Registrations of Dr. **Shaffer**. The Board discussed the motion. The motion passed unanimously.

Having concluded the agenda, Dr. Lambert expressed his appreciation to Dr. Crouch for her dedicated service during her short tenure on the board and that her presence will be missed. The sentiment was affirmed by Dr. Boggs, Dr. Gormanous, and Ms. Monic.

Dr. Crouch moved to adjourn the meeting. The motion passed unanimously.