

**Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES**

**Friday, December 10, 2021
FINAL APPROVED January 21, 2022**

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed, agenda certified, and signed by LSBEP Chairperson Gina Gibson, posted, emailed to individuals and the news media who have requested to receive notices of LSBEP meetings, and widely distributed to every known news media outlet that broadcasts or publishes news within Louisiana through the Louisiana Press Association on Wednesday, December 8, 2021. The notice included information on how to join the meeting virtually via Zoom <https://us02web.zoom.us/j/84112383863?pwd=Y3h6a0RlYmFwcmRDNjRdkIwcmRDdz09>

Meeting ID: 841 1238 3863 **Passcode:** 1mhp8P **One tap mobile:** +13126266799,,84112383863#,,,,,0#,,442710# US (Chicago) +19292056099, 84112383863#,,,,,0#,,442710# US (New York) **Dial by your location**+1 312 626 6799 US (Chicago), +1 929 205 6099 US (New York), +1 301 715 8592 US (Germantown), +1 346 248 7799 US (Houston), +1 669 900 6833 US (San Jose), +1 253 215 8782 US (Tacoma) **Meeting ID:** 841 1238 3863 **Passcode:** 442710 **Find your local number:** <https://us02web.zoom.us/j/84112383863?pwd=Y3h6a0RlYmFwcmRDNjRdkIwcmRDdz09>

Board Chairperson, Dr. Gina Gibson, called the meeting to order at 9: 00 a.m. on Friday, December 10, 2021.

Attendance:

Board Member attending virtually: Dr. Gina Gibson, Dr. Gregory Gormanous, Dr. Michelle Moore, Dr. Shannae Harness, and Dr. Thomandra Shavaun Sam

Board Members Absent: Mr. Darren “Chance” McNeely

Staff Present: Executive Director, Jaime T. Monic

Guests Present for Open Meeting: Emily Dixon (La Legislative Auditors Office), Steven Brailsford (La Legislative Auditors Office), Dr. Richard Nilon (LPA).

Dr. Gibson read the mission statement as follows, *“It is hereby declared that the creation of a state board of examiners of psychologists is necessary 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.”*

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.”*

Ms. Monic reviewed LSBEP’s policy for Video Meeting Decorum and reminded members to keep their video on to ensure a quorum.

REVIEW AND APPROVAL OF AGENDA Dr. Gormanous moved to approve the agenda. In favor: (5) Gibson, Gormanous, Moore, Harness, Sam; Against: (0); Abstained: (0); Absent: (1) McNeely.

Ms. Monic called for the review and consideration of item removal from the Consent Agenda. Hearing none, Ms. Monic read aloud the amended Consent Agenda Items for consideration by the Board for affirmation, ratification, adoption, approval and/or conferral as follows:

a. Minutes (Approval):

COMMONLY USED ACRONYMS/ABBREVIATIONS:

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Board Meeting November 12, 2021

b. Financial Statements Received (Affirm and Ratify):

November 2021 – General Ledger, Balance Sheet, Budget vs. Actual, Profit & Loss

c. Temporary Registrations approved (Affirm and Ratify):

Name	State of Residence	Reviewer	Date Approved
Robert L. Finke, Ph.D.	Illinois	J. Monic	11/23/2021

d. Supervised Practice Plans approved (Affirm and Ratify):

Applicant	Supervisor	Reviewer	Date Approved
Sebastian Del Corral Winder	Joy Osofsky, Ph.D.	Shavaun Sam	12/7/2021

e. Applicants approved for Candidacy Status and issued Provisional Licensure (eligible for EPPP) (Affirm and Ratify):

Candidate	Supervisor	Reviewer	Date Approved
Joshua M. Lieberman, Psy.D.	Teresa M. Christian, Psy. D.	Shavaun Sam	12/6/2021

f. Applicants approved for Candidacy Status (eligible for EPPP) (Affirm and Ratify):

Candidate	Reviewer	Date Approved
None to report		

g. Candidates approved for Oral Examination (Affirm and Ratify):

Candidate	Reviewer	Date Approved
Samantha A. Martin, Ph.D.	Michelle Moore	11/23/2021
Claire M. Houtsma, Ph.D.	Michelle Moore	11/23/2021
Marcia A. Kearns, Ph.D.	Shavaun Sam	12/6/2021

h. Licensure recommendations of applicants and candidates who have completed all licensing requirements, including passing LSBEP’s Jurisprudence and Oral Examinations (Board Conferral):

Name	Declared Specialty	Date of Examination	Examining Members
Courtney Farmer, Ph.D.	Clinical	12/1/2021	M.Moore/S. Sam
Stephanie H. Procell, Ph.D.	Clinical	12/8/2021	S.Harness/S.Sam

i. Licensure recommendations of applicants and candidates who have completed all licensing requirements, including passing LSBEP’s Jurisprudence and Face to Face Interview (Board Conferral):

Name	Declared Specialty	Date of Examination	Examining Members
None to report			

j. License Reinstatements (Board Conferral):

Name	Reviewer	Date
None to report		

k. Continuing Professional Development Reviews (Affirm and Ratify):

Name	Review Type	Reviewer	Date Approved
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None to report			
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I. Shared News releases/general information/previously approved business (Affirm):

1) None to report

Following the reading of the Consent Agenda, Ms. Monic called for motions to object or approve the Consent Agenda. With regard to the items specified on the Consent Agenda, Dr. Gormanous moved to affirm receipt of the board meeting minutes, financial statements, shared news releases, general information and previously approved business; ratify the approvals rendered by board members in processing applications and temporary registrations; and confer and issue licenses to candidates based on the recommendations offered by examining board members. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Gibson, Gormanous, Moore, Harness, Sam; Against: (0); Abstained: (0); Absent: (1) McNeely.

Dr. Gormanous moved to adjourn until 1:00 p.m. in preparation for the CPD Webinar Multicultural and Ethical Issues in Psychology by Antonio E. Puente, Ph.D., and to allow Board Members to attend the presentation. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Gibson, Gormanous, Moore, Harness, Sam; Against: (0); Abstained: (0); Absent: (1) McNeely.

Dr. Gibson called the Open Meeting to order at 1:00 p.m. on Friday, December 10, 2021.

COMMITTEE AND LIAISON REPORTS:

1. **Executive Committee Report** – Ms. Monic reported on operations as follows:

- a. 2021 Election for Board Member vacancy occurring 7/1/2022 is scheduled to open on December 15, 2021, for 30 days until January 14, 2022.
- b. No update in the matter of Richard A. Marksbury, Ph.D. vs. LSBEP, the 1st Circuit Court of Appeal.
- c. OPERATIONS:
 - i. 10 NEW APPLICATIONS RECEIVED in November 2021 (1 – PLUS, 1 – LSSP, 1 – RECIPROCITY, 6 – REGULAR, 1 – TEMPORARY)
 - ii. TOTAL OPEN APPLICATIONS: 127 Open Applications
 - iii. PUBLIC RECORD REQUESTS – none
- d. Meetings/appearances: LSSP Committee Meetings on December 7, 2021
- e. Job postings: Job descriptions are still being developed for posting the Administrative Assistant Position, In-house Attorney, and Complaints Coordinator III.
- f. Technology Contract: CERTEMY received notice of the contract termination on 11/23/2021. The Board can file with state procurement 30 days after notice. Ms. Monic met with Sparkhound on 11/23/2021 to discuss developing the current renewal software in order to add online applications and improve workflows.
- g. Board Member Training update: Ms. Monic reported that Board Members would now have access to LEO (Louisiana Employees Online) to complete their Sexual Harassment Training, Cybersecurity Awareness Training, Ethics Training, Safe Driver Training, and Anti-Trust Training.

1. **Finance Committee** – Ms. Monic presented a Financial Report as follows:

MONTHLY FINANCIAL REPORT
Date Report Prepared: December 9, 2021
Name of Preparer: Jaime T. Monic

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REPORTING PERIOD: 11/1/2021 – 11/30/2021

Financial Reports have been provided to members as noted through the consent agenda. The Board Chair continues to review and sign off on all banking reconciliations including merchant accounts and spending accounts (i.e., purchase cards, supply business credit). We are currently 5 months into the budget for FY 2021-22. Significant income trends include:

TYPE	AMOUNT	BUDGETED	Trends/Notes
INCOME:			
Income: Renewal	\$258,290	\$296,200 \$258,790	This category was amended on 11/12/2021 to reduce the projection due to no renewals collected for Assistants to Psychologists and correct the amount projected for License Renewal Fees. With the amendment, 99.8% of the budgeted amount has been collected.
Income: Application fees	\$6,525	\$25,150	22.4% of the budgeted amount has been collected. The budgeted amount includes the initial registration of assistants at \$10,000. Other than this, collections are on par with collections from previous years.
Income: Miscellaneous	\$1,251.39	\$22,045 \$10,404	This category was amended on 11/12/2021 to reduce the projection by 50% due to delay in implementing CPD Activity approval rules and over projecting on Board Sponsored CPD. With the amendment, 12.0% of the budgeted amount has been collected.
There are no other notable income trends to report			
EXPENSES:			
Line Item under Operations: Credit Card Processing Fees	\$4,317.07	\$4,600	93.8% of the projected funds have been expended in this category. Although the majority of this fee is incurred during online renewals, this is a category to watch now that we are collecting online payments for applications and jurisprudence examinations. A determination to offset the new online fees with a convenience fee will help. However, this fee will increase concurrently with online revenue collections.
Line Item under Operations: Postage and Delivery	\$592.63	\$2700	21.9% of the funds projected for this item have been expended. This category is down from 37.6% of the expenditures this time last year. The amount of postage and delivery charges is expected to continue to drop this year due to steps taken to move toward virtual processes.
New Budget Item	0	\$220	This category was added and includes a new budget item approved per the July 23, 2021 Board decision National Practitioner Data Bank for all new applicants for licensure. Currently, it is estimated that there will be 110 applications processed in 2021-22 at \$2/query for a total of \$220.
Board Meeting Expenses	\$639.53	\$10,383 \$7,876	This category was amended on 11/12/2021 to reduce the projection due to being under budget as a result of Virtual Meetings. Even with the reduction, we have expended only 8.1% of the budgeted amount. This will change after the return to in-person meetings.
Contract Labor	\$21,545.97	\$139,232	We have expended 15.5% of the budgeted amount (total contracted amounts). This category is less predictable depending on complaint matters. Although considering risks associated with potential hearings, category is currently stable.

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			Additionally, the Board will be posting for a Complaints Coordinator III.
Salaries and Benefits	\$74,155.10	\$195,887	This category was amended on 11/12/2021 due to the vacant Compliance Officer position and proposed establishment of an Operations position. There was also an increase to the Clerical Assistant position that is currently filled by a student worker. The Board intends to redirect funds from Contract Labor to Salaries and Benefits, in the event that a qualified individual is found to fill the In-house Attorney position.
Travel and Transportation	\$310	\$6,423	This category was amended on 11/12/2021 due to the anticipation of in-person conferences and conventions. We have currently expended 4.8% of the budgeted amount.

All other expense items are on par with budgeted amounts.

INCOME SUMMARY

Monthly Income	\$7082.30	YTD Income	\$303,087.23
Monthly Expense	\$12,153.04	YTD Expense	\$121,420.79
Total Net Income	\$-5,070.74	Total Net Income	\$181,666.44

A final Budget, approved on November 12, 2021, is provided with this report for the ensuing FY 2022-23 and contains amendments to the Current 2021-22 Budget, also approved November 12, 2021. With the approved changes, noted COVID19 related savings, and current downward trend in contract spending, there is an anticipated increase in the fund balance (cash on hand) to be carried over to 2022-23 now estimated to be **\$67,733**. While this is good news, your unreserved fund balance is still anticipated to be (\$-286,708) and there remains a long way to go to achieve your new goals for revenue generation that is included in this projection.

Board Strategy Recommendations:

Consider emergency rulemaking for the Registration of Assistants to Psychologists, particularly given the importance highlighted on this issue through the legislative process by legislators.

Make primary focus rulemaking to implement the CPD standards and begin revenue development; and on updating rules impacting licensing, license renewal for emeritus, telepsychology, complaints, etc. to improve functionality and liability.

Focus on organizational structure to address both immediate and long-term viability and employee retention. Continue to explore financially sustainable options for technology to be utilized in the application and renewal process which may either counter (or reduce) the cost of employees, workload, and related expenses for processing applications, and/or counter (or reduce) the cost of real-estate needed to store paper files.

Consider setting a goal to achieve and maintain a reserve balance to cover deferred liability plus unexpected expenses (e.g., hearing costs, lawsuits, major technology developments, moving) plus 3-6 months of operating expenses. Consider creating guidelines for Board approval to tap your reserve and then rebuild that amount.

The Board discussed the financial report. Dr. Gormanous moved in favor of accepting the financial report presented by Ms. Monic. The Board discussed this motion. The motion passed by unanimous roll call vote of the members present as follows: In favor: (6) Gormanous, Gibson, Moore, Harness, McNeely, Sam; Against: (0); Abstained: (0); Absent: (0).

2. **Complaints Committee Report:** Ms. Monic presented the Compliance Report as follows:

<u>COMPLIANCE REPORT</u>
Date Report Prepared: December 9, 2021
Name of Preparer: Jaime T. Monic
REPORTING PERIOD: 11/12/21 – 12/09/21

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CURRENT:

- Total number of RFIs received since last meeting: **0**
- Total number of Board-initiated investigations since last report: **0**
- Total number of cases to be considered by the Board at this meeting: **0**
- Total number of open cases: **16**
 - **3** are informal resolutions still under monitoring
 - **3** Consent Orders
 - **0** IPPA's
 - **10** are active Investigations
 - **3** from FY19-20
 - **7** from FY 20-21
 - **2** from FY 21-22
 - **3** are under review/Respondent not yet noticed
 - **3** from FY 21-22

FY 2021-22 To Date:

- Formal hearings scheduled: **0**
- Face to Face Meetings Scheduled: **2**
- Disciplinary Actions: **1**
- New Applications w/ Arrest Info: **0**

3. **Oral Examination Committee Report** – Dr. Moore reported that since the last Board Meeting 3 Oral Examinations had been conducted by Examining Board Members as reported on the Consent Agenda.
4. **Supervision/Credentials Committee** – Ms. Monic suggested looking at methods to communicate Board Member availability to conduct Oral Examinations since the implementation of new delegations to board members occurs at a continuous pace rather than once a month.
5. **Legislative Oversight Committee** – Dr. Gormanous reported that the 2022 Regular Legislative session was approaching. Legislators would not be limited to the number of bills they could propose during the upcoming session. Dr. Gormanous also reported there would be a special redistricting session.
6. **Jurisprudence Examination Committee** – Dr. Moore reported that she has been working to develop a question bank in Canvas and currently has 43 questions entered. These are questions the Committee worked on throughout 2020-21. More time will be spent on revising these questions before developing additional test versions. Dr. Moore also discussed the possibility of feedback, including issues this would create with retakes. It was the consensus of the Board that providing feedback during the Oral Examination continues to be the preferred protocol. Dr. Moore requested an Executive Session agenda item to be added for February so the Board could review the status and development of the online jurisprudence examination.
7. **Public and Professional Outreach Committee** – No Report
8. **Liaison to Professional Organizations** – Dr. Moore reported that she attended ASPPB's Planning Committee for the upcoming Midyear Meeting scheduled to occur in New Orleans. Due to her confidentiality agreement with ASPPB, the details could not be reported. However, she stated that her first meeting enabled a better understanding for the confidentiality agreement, given the committee reviewed feedback and evaluations from prior conferences and this information is not available to the public.
9. **Continuing Professional Development Report** – Dr. Gibson reported that the Continuing Professional Development Webinar (Multicultural and Ethical Issues in Psychology by Antonio E. Puente, Ph.D.)

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conducted today went very smoothly and was well attended. She thanked Board Members and Staff that helped make the event happen. The Board discussed future presentations and contacts who may be available to present; paid vs. volunteer presenters; and continued to consider diversity in selecting presenters. Dr. Gormanous requested the board's approval to approach Dr. Jennifer F. Kelly, Past APA President, to explore her interests in a presentation in January 2023.

10. **Long Range Planning Committee** – Dr. Gibson reported that the dates for the LRP Meeting were set for January 20-21, 2022 and there was an item on today's agenda to discuss logistics.

DISCUSSION/ACTION ITEMS

1. **LSBEP Policy and Procedure: Board meetings/functions/frequency of meetings** - Ms. Monic provided a draft of the previously adopted policy and procedures related to board meetings/functions/frequency of meetings incorporated into the LSBEP Policy and Procedure Manual, as reviewed by Attorney Amy Groves Lowe. Dr. Gormanous moved in favor of adopting the amended draft with updated Jurisprudence Examination Scores entered for both Psychologists and Licensed Specialists in School Psychology. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Gibson, Gormanous, Moore, Harness, Sam; Against: (0); Abstained: (0); Absent: (1) McNeely. Dr. Harness also requested to discuss why we were not moving forward with meeting every other month following the implementation of the new procedures and board member delegations. Dr. Gormanous explained that Attorney Amy Lowe's review and recommendation did not support the assumption that the Board could delegate the issuance of a license to Examining Board Members, that only the full Board could confer a license.
2. **Online License Verification and Payments from 10/1/2021-11/23/2021** – Ms. Monic reported on an issue with LSBEP's software that processes online verifications and payments for the period 10/1/2021 through 11/23/2021. During this time, payments were pushed to the payment processor's testing site causing an inability to collect on payments, which impacted transactions totaling \$2,870. Ms. Monic reported that enough data was collected from the test environment to attempt to collect for the payments not drafted on the payor's account. Further Ms. Monic reported that she was unable to fully determine whether the issue was with the payment processor or with LSBEP's software developer (Sparkhound), but it was apparent that the issue began on the date that corresponded with a software issue that Sparkhound fixed on 10/1/2021. The issue got corrected on 11/23/2021, the date that it was reported and discussed with Sparkhound. Dr. Harness moved that the board authorize and empower Ms. Monic to initiate collections. Considering the additional staff work/time involved attempting to collect the lost revenue, the board also authorized and empowered Dr. Gormanous to reach out to Sparkhound seeking an understanding of the cause and resolution to the matter. The Board discussed the motion, the motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Gibson, Gormanous, Moore, Harness, Sam; Against: (0); Abstained: (0); Absent: (1) McNeely.
3. **Declaration of Competencies** - Dr. Sam presented a recommendation and a draft for board consideration to revise the Declaration of Competencies, as previously discussed in November 2021. The draft included a question that would enable the candidate to declare competence to provide telepsychology and enable the examining members to explore an individual's understanding and limitations in utilizing this service delivery modality. The Board discussed the preferred structure and by motion of Dr. Moore, adopted the revised format for the Declaration of Competencies by unanimous roll call vote of the members present as follows: In favor: (5) Gibson, Gormanous, Moore, Harness, Sam; Against: (0); Abstained: (0); Absent: (1) McNeely.
4. **Draft Opinions: a. Training requirements, routes toward licensure and limitations on practice; b. University of New Orleans (UNO), Ph.D. Developmental Psychology Training Program** - In the interest of time and ability to more thoroughly prepare for this discussion, Dr. Gormanous requested Ms. Monic research the original motion surrounding this issue and docket a discussion for its regularly scheduled meeting in February 2022.

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5. **Long Range Planning: Agenda/Invitations/Awards Ceremony/Budget** - The Board discussed goals and focus of the meeting; identified rulemaking; and clarified the logistics of hosting an in-person meeting with ability to implement safety protocols and Covid19 mitigation measures. Following discussion, it was the consensus of the Board to have board members meet in-person. Due to the inability of the board to adequately accommodate more than 10 persons and still allow for social distancing at the office of the board, invited guests and other public attendees would be limited to virtual attendance on January 20th. Additionally, on January 21st, the Board would again attend in-person and host the two guests of honor in-person for a boxed/pre-plated luncheon. The Board also discussed that a virtual meeting was the most effective platform to achieve its meeting goals by allowing workgroups and information sharing. **Additionally, Board Members were assigned to take the lead on rules provided updates on research, direction and progression of their respective rules:** Dr. Moore reported on Chapter 3: Training Requirements, Chapter 7: Supervision Requirements, and Chapter NEW: Telepsychology and Telesupervision. Dr. Harness reported on Chapter 8: Continuing Professional Development. Dr. Sam reported on Chapter 11: Assistants to Psychologists (registration). Dr. Gormanous reported on Chapter 9: Licenses (Emeritus). Dr. Gibson reported on Chapter 15: Complaint Adjudication process and Chapter 19: Public Information (petitions to the board). Ms. Monic reported on the impacts these rules could have on Chapter 6: Fees, purely technical amendments under Chapter 17: Practice of Psychology/Testing, and previously approved Chapter 40: LSSP Ethics and Chapter 42: LSSP CPD Requirements

All business having been considered, the meeting adjourned at 5:00 p.m.

LEGAL NOTICES

LA R.S. 42.14.D. Public comments** – In accordance with LA R.S. 42.14.D., the LSBEP shall allow public comments at any point in the meeting prior to action on an agenda item upon which a vote is to be taken. Individuals who wish to comment on a matter must sign in and state their intent to comment on a matter.

La. R.S. 44:33.1 - In compliance with La. R.S. 44:33.1, the LSBEP hereby gives notice that information submitted to the LSBEP may become public record pursuant to the provisions of Louisiana Public Records Law, La. R.S. 44:1, et seq.

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