

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Friday, February 19, 2021

FINAL APPROVED: March 26, 2021

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed, agenda certified, and signed by LSBEP Chairperson Amy Henke, 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, February 17, 2021. The notice included information on how to join the meeting virtually via Zoom <https://us02web.zoom.us/j/84112383863?pwd=Y3h6a0Rl amFwcmRDNjJRdkIwcmRDdz09>

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=Y3h6a0Rl amFwcmRDNjJRdkIwcmRDdz09>

Board Vice Chairperson, Dr. Gina Gibson, called the video conference meeting to order at 8:41 a.m. on Friday, February 19, 2021.

Attendance:

Board Members Present: Dr. Gregory Gormanous, Dr. Gina Gibson, Dr. Michelle Moore, Dr. Shannae Harness, and Mr. Darren “Chance” McNeely. Board Members Absent: (1) Amy Henke

Staff Present: Executive Director, Jaime T. Monic and Compliance Officer, Justin Owens.

Guests Present for Open Meeting (partial attendance): Dr. Alan Coulter (LPA), Valaray Irvin, Richard Niolon (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 reminded board members to adhere to LSBEP’s policy for Video Meeting Decorum. Ms. Monic restated Dr. Henke’s certification that due to COVID19, the Louisiana State Board of Examiners of Psychologists was unable to meet in person for quorum requirements and therefore is holding this board meeting online via Zoom.us., and in accordance with *La. R.S. 42:17.1.C. (2) and (3) under the continuing declaration of emergency* including Proclamation No. 18 JBE 2021.

REVIEW AND APPROVAL OF AGENDA Dr. Moore moved to amend the agenda to correct Executive Session item “P20-21-04C” to “P20-21-08C” and to add a File Review item for Samantha Martin. The Board discussed the motion, the motion passed by unanimous roll call vote as follows: In favor: (5) Gormanous, Gibson, Moore, Harness, McNeely; Against: (0); Abstained: (0); Absent: (1) Henke.

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Dr. Henke joined the meeting. Dr. Henke moved to table the review and approval of the January minutes until the afternoon to give all members an opportunity to thoroughly read them. The Board discussed the motion. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness, McNeely; Against: (0); Abstained: (0); Absent: (0).

COMMITTEE AND LIAISON REPORTS:

1. Executive Committee Report
 - a. **Temporary Registration Report** - Ms. Monic reported the approval of one Temporary Registration for **Dr. Rachel B. Levi**.
2. Finance Committee –
 - a. **Leave Report Approval** – Dr. Henke reported the review and approval of Leave Reports for Ms. Monic.
3. Oral Examination Committee –
 - a. **Standards for Educational and Psychological Testing** – Dr. Gormanous recommended that the Board purchase a copy of “*Standards for Educational and Psychological Testing*” developed jointly by American Educational Research Association, APA, and the National Council on Measurement in Education. The Board discussed this recommendation and by motion of Dr. Gormanous, affirmed such purchase for the office.
 - b. **Schedule Examination Dates** – Dr. Henke requested that board members review their schedule and send Ms. Monic available dates for oral examinations.
4. Legislative Oversight Committee – Dr. Henke reported that the Board was currently engaged in Rulemaking related to increasing fees under Chapter 6, which information is published on the board's website. Dr. Gormanous reserved his report for discussion later under the item docketed as *Discuss proposed Housekeeping Legislation (amendments to SB458)*
5. Supervision/Credentials Committee – Dr. Henke reported that application files for licensure will be reviewed in Executive Session.
6. Complaints Committee –
 - a. Mr. Owens reported for the period 12/11/20 – 02/19/21 as follows: Two new *Requests for Investigations* were received by consumers since the last report; there are a total of 29 open investigations, 23 are active (one from FY17-18; two from FY18-19; nine from FY19-20; eleven from FY 20-21; six are under review and not yet noticed). There are currently no formal hearings scheduled; no disciplinary actions were finalized during this period and there were no applicants denied based on review of criminal history.
 - b. Mr. Owens reported that three cases were scheduled review and discussion today.
7. Public and Professional Outreach Committee – Dr. Henke reported that the 1st Edition 2021 Newsletter was being drafted and would focus on myths vs. facts about the board. Dr. Gormanous moved to delegate authority and empower the Public and Professional Outreach Committee to approve and distribute publications from the Board. Dr. Henke requested that the Newsletter be distributed to all licensees, rather than an opt-in distribution list. The board discussed and approved this procedure.
8. Liaison to Professional Organizations
 - a. Ms. Monic reported the presentation at the LSPA annual conference on January 29, 2021 went very well and was attended by more than 70 LSPA members.
 - b. Dr. Henke reported that she reached out to the Board Chairs of California and Pennsylvania related to writing a letter to ASPPB’s Board of Directors to address the impacts and concerns of preventing applicants, who are qualified to take both parts of the EPPP examination, but will be prevented based solely on the jurisdiction they choose to apply through. Dr. Henke stated that both jurisdictions that she spoke with were interested in signing and submitting a letter with Louisiana.

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- c. Ms. Monic reported that the ASPPB Midyear Meeting is scheduled for April 9 and 10, 2021 and would be virtual. Ms. Monic confirmed that registrations would be submitted for herself and Drs. Henke, Gibson, Gormanous, Moore and Harness.
9. Long Range Planning Committee – Workgroup updates were received as follows:
 - a. Telepsychology – LAC:46:LXII.Chapter (New) – Dr. Moore presented the recommendations for converting current guidelines to rules. The board reviewed and accepted the recommendations to be finalized for rulemaking.
 - b. Dr. Henke reported that time was scheduled for the remaining workgroups for Registration of unlicensed assistants - LAC:46:LXII. Chapter 11; Continuing education requirements - LAC:46:LXII. Chapter 8; and the Complaint Adjudication process - LAC:46:LXII. Chapter 15 to continue following today's regular board meeting.
 10. Jurisprudence Examination Committee – Dr. Gibson reported that the Committee had finalized questions that she compiled into multiple versions of the Jurisprudence Examination which would be reviewed by the Board in Executive Session.

DISCUSSION/ACTION ITEMS

1. **Review committee/adhoc committee assignments; Review activity, affirm assignments and need to continue /discontinue inactive committees** – The Board reviewed and discussed current standing and adhoc committee assignments. No changes were made to current standing committees. The current adhoc committees formed at the 2021 Long Range Planning meeting were affirmed as follows:
 - a. Telepsychology – Drs. Gibson, Moore and Harness
 - b. Registration of unlicensed assistants – Dr. Henke, Dr. Gibson, Dr. Gormanous and Dr. Adrienne Brennan. The Board also inquired about Dr. Koren Boggs participation on this committee. Ms. Monic advised that section 1121.A(2) of the Louisiana Code of Governmental Ethics would prevent Dr. Boggs from being appointed to a committee for a period of two years following the termination of her service on the LSBEP. However, as a member of the public and licensee, she would not be prohibited from reviewing and commenting on any product that comes out of this committee.
 - c. Continuing education requirements – Dr. Moore, Dr. Harness and Mr. McNeely
 - d. Complaint adjudication process – Mr. McNeely, Dr. Joseph Comaty, Ms. Monic and Mr. Owens

2. **Discuss proposed Housekeeping Legislation (amendments to SB458)** –
 - a. The Board reviewed LPA’s position on the proposed legislation from Erin Reuther, LPA President- February 17, 2021. Specifically, in part “...LPA is supportive of the work of the ALCC and the collaborative process in developing the language for the proposed statute. Thus, this is not an opposition to the language of the statute itself, but rather opposition to moving it forward this legislation session...” LPA’s position also indicated they would be supportive of any related changes that could be accomplished through rulemaking. Dr. Niolon was present on behalf of LPA and spoke on the decision of LPA.

Dr. Henke expressed appreciation to the individuals from LPA and LSPA who volunteered a lot of time to the ALCC, and disappointment in LPA’s decision. Dr. Henke also expressed her disappointment that a draft was shared outside of the ALCC committee on LPA’s listserv prior to the board having the opportunity to review and adopt the changes.
 - b. Following receipt of comments, including the review and discussion of LPA’s position, LSBEP discussed its position and options. Dr. Gormanous stated that in his opinion the changes related to the definition of the practice of psychology; delegation of authority; and registration of unlicensed assistants are a matter of public protection, and are of such importance that the legislation should not be

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delayed. Dr. Gormanous offered a motion to affirm the Board's previous decision and continue to move forward by actively educating legislators of these needs and seek a sponsor for these changes. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness, McNeely; Against: (0); Abstained: (0); Absent: (0).

REVIEW AND APPROVAL OF MINUTES: The Board reviewed, discussed and amended the draft Minutes of January 28, 2021 and January 29, 2021. Dr. Gormanous moved to approve those minutes as amended. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0).

The Board adjourned for lunch at Noon. The Board called to order following lunch at 1:00p.m.

EXECUTIVE SESSION: Dr. Harness moved to enter Executive Session pursuant to LSA R.S.42:17.A(2) and (4) to conduct supervision and credential file reviews, review complaints, and review jurisprudence examination questions. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, Harness, McNeely; Against: (0); Abstained: (0); Absent: (0).

Dr. Moore moved to close Executive Session to enter the Open Meeting to report on and receive motions for Executive Session matters. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

SUPERVISION/CREDENTIALS: File Reviews [LSA-R.S. 42.17.A(1)]

- Dr. Moore reviewed the Application for License of **Marcia A. Kearns, Ph.D.**, including her request to reactive her dormant application for consideration of her Candidacy status and admission to the EPPP. Finding that all requirements for candidacy status had been met, Dr. Moore moved that the Board affirm the candidacy of Dr. Kearns for admission to the Examination for Professional Practice in Psychology (EPPP). The Board discussed the motion. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- Dr. Gibson reviewed the Application for License of **Lee Purvis, Ph.D.**. Finding that Dr. Purvis's documentation was complete, Dr. Gibson moved that the candidacy status of **Dr. Purvis** be confirmed and that the Board invite Dr. Purvis to complete the Oral and Jurisprudence Examination requirements for licensure. The Board discussed the motion. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- Dr. Harness reviewed the Application for License of **Samantha Martin, Ph.D.** Finding that all requirements for Provisional Licensure had been met, Dr. Harness moved that the Board affirm the candidacy of Dr. Martin and grant a Provisional License for early admission to the Examination for Professional Practice in Psychology (EPPP). The Board discussed the motion. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

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

1. **P19-20-13B (Self-Report)** – (*Complaint Committee Assigned: Dr. Sasha Lambert, Dr. Amy Henke, and Mr. Justin Owens*) - Dr. Henke presented this case to the Board in Executive Session, and reported that following thorough investigation, review and consideration of all evidence in this matter by the Complaint Investigation Committee assigned to this case, the Committee found insufficient evidence that a violation of the Psychology Practice Act had occurred. The Committee recommended that the matter be dismissed without further investigation or action. The Board thoroughly discussed this

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- matter and considered the recommendation of the Committee. Dr. Gormanous moved to accept the Complaint Committee's recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
2. **NP20-21-08C** - (*Complaint Committee Assigned: Dr. Sasha Lambert, Dr. Amy Henke, and Mr. Justin Owens*) - Dr. Henke presented this case to the Board in Executive Session, and reported that following thorough investigation, review and consideration of all evidence in this matter by the Complaint Investigation Committee assigned to this case, the Committee found insufficient evidence that a violation of the Psychology Practice Act had occurred. The Committee recommended that the matter be dismissed without further investigation or action. The Board thoroughly discussed this matter and considered the recommendation of the Committee. Dr. Gormanous moved to accept the Complaint Committee's recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
 3. **NP20-21-17C** - (*Complaint Committee Assigned: Dr. Sasha Lambert, Dr. Amy Henke, and Mr. Justin Owens*) - Mr. Owens and Dr. Henke presented this case to the Board in Executive Session, and reported that following review, it was discovered that the respondent was licensed under the jurisdiction of the La State Board of Medical Examiners (LSBME). Dr. Gormanous stated that given the serious nature of the complaint, that the Board accept the recommendation of the Committee to close the investigation following proper reporting to the appropriate authorities and licensing body. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

JURISPRUDENCE EXAMINATION [LSA-R.S.42.17]:

Dr. Gibson provided final copies of two versions of the Jurisprudence Examination for Board review. No motion was made to finalize these drafts for use at this meeting. The final review will be docketed for next month.

At 2:30 p.m., Dr. Moore moved to adjourn the meeting. In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

LEGAL NOTICES

La. R.S. 37:23.2 - In compliance with La. R.S. 37:23.2, the LSBEP hereby gives notice to its licensees and applicants of their opportunity to file a complaint about board actions and board procedures. You may submit such complaints to one or more of the following organizations: Louisiana State Board of Examiners of Psychologists: Submit in writing to: LSBEP, 4334 S. Sherwood Forest Boulevard, #C-150, Baton Rouge, LA 70816; admin.lsbep@la.gov; (225)925-6511; Committee on House & Governmental Affairs, La. House of Representatives: Submit to: H&GA@legis.la.gov or Committee on House & Governmental Affairs, La. House of Representatives, PO Box 44486, Baton Rouge, LA 70804; (225) 342-2403; Committee on Senate & Governmental Affairs; La Senate: Submit to: s&g@legis.la.gov or Committee on Senate & Governmental Affairs; La Senate PO Box 94183, Baton Rouge, LA 70804; (225)342-9845

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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