

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

**Thursday, June 30, 2022
Final Approved, July 15, 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, and emailed to individuals and the news media who have requested to receive notices of LSBEP meetings Tuesday, June 28, 2022. The notice included information on how to view the meeting virtually via Zoom at https://us02web.zoom.us/j/82507059591?pwd=ecboDCWAcFEbJxz_zXEEtBpZ-82zps.1 Passcode: S46L5k
Or One tap mobile: US: +13017158592, 82507059591#, *143629# or +13126266799, 82507059591#, *143629#
Or Telephone: Dial(for higher quality, dial a number based on your current location):
US: +1 301 715 8592; +1 312 626 6799; +1 929 205 6099; +1 253 215 8782; +1 346 248 7799 or +1 669 900 6833
Webinar ID: 825 0705 9591 Passcode: 143629

Board Chairperson, Dr. Gina Gibson, called the meeting to order at 9: 14 a.m. on Thursday, June 30, 2022.

Attendance:

Board Members Present: Dr. Gina Gibson, Mr. D. Chance McNeely, Dr. Shannae Harness and Dr. T. Shavaun Sam
Board Members Absent: Dr. Gregory Gormanous and Dr. Michelle Moore
Staff Present: Executive Director, Jaime T. Monic and Attorney Amy Groves Lowe
Guests Present: Dr. Corey Black (partial attendance)

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.”*

At the request of Dr. Gregory Gormanous, Dr. Gibson read into the record a document containing statements submitted by Dr. Gormanous. That document is incorporated into these Minutes as Appendix A: “STATEMENTS FOR THE RECORD | June 30, 2022 Meeting | Submitted for the record by email on June 30, 2022, 5:33am CT.”

Ms. Monic reminded LSBEP Board Members that the meeting was being live-streamed and viewed by the public.

REVIEW AND APPROVAL OF AGENDA Mr. McNeely moved to add an agenda item for Resolution of Appreciation and Commendation: Gina Gibson, Ph.D. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

Mr. McNeely moved to approve the agenda as amended. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

EXECUTIVE SESSION: Mr. McNeely moved to enter Executive Session pursuant to LSA R.S.42:17.A(1), A(2), A(4) and A(10)to meet with Attorney Amy Groves Lowe, conduct supervision and credential file reviews, and review complaints The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

COMMONLY USED ACRONYMS/ABBREVIATIONS:

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At 1:15 p.m. Dr. Sam 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: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

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

- a. **NP21-22-11C** - The Board reviewed this matter in Executive Session with Attorney Amy Groves Lowe. It was determined that the matter warranted further investigation and Dr. T. Shavaun Sam was assigned as Complaints Coordinator to this case.
- b. **P20-21-16C** – (*Complaints Committee*: Complaint Coordinator Dr. Sasha J. Lambert, Investigator Henry Richardson, Attorney Courtney P. Newton, and Board Member Dr. Gina Gibson) Dr. Gibson presented this matter to the Board in Executive Session. The Board discussed the matter and reviewed the Letter of Education during Executive Session. Dr. Gibson offered the motion and recommendation of the Complaints Committee to dismiss P20-21-16C with a Letter of Education. Mr. McNeely seconded the motion. The motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

2. 10:30 a.m. Legal Issues and Strategy [LSA-R.S.42.17.A(2), A(10), and 44:4.1] – Attorney-Client Privilege

The Board met with Attorney Amy Lowe to receive Attorney/Client privileged information, discuss legal issues and strategy regarding the following:

- a. Confidential attorney/client privileged guidance on ADA Accommodation and Policy Making
- b. Personnel Matters: Consideration of requests for ADA accommodations.
- c. Gregory Gormanous, Ph.D. v. Louisiana State Board of Examiners of Psychologists and Jaime T. Monic In Her Official Capacity, Civil Action No. 22-cv-01425
- d. Louisiana Psychological Association Letter to LSBEP 6-20-2022
- e. In-house Counsel - review and discuss potential candidate qualifications.
- f. Legal guidance regarding participation in the Department of Justice: Occupational Licensing Review Program

Dr. Sam moved to decline participation in the Department of Justice Occupational Licensing Review Program. . The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

3. SUPERVISION AND CREDENTIALS REVIEW COMMITTEE File Reviews [LSA-R.S. 42.17.A(1)]

- a. **Corey Black, Ph.D.** – The Board reviewed the Application for Licensure of Dr. Corey Black. Dr. Black also appeared in person during Executive Session to provide a statement and information related to his Application for Licensure. Finding that Dr. Black had not met the requirements for licensure pursuant to the Louisiana Administrative Code, Title 46, Part LXIII. §105.E., Mr. McNeely moved to deny licensure and notify Dr. Black of the eligibility requirements to reapply. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.
- b. **Jill A. Boutte, Psy.D.** – Dr. Sam reviewed the Application for Licensure of Dr. Boutte. Finding that Dr. Boutte met the requirements to move forward, moved in favor of confirming the Candidacy Status of Dr. Boutte and admitting Dr. Boutte to the EPPP. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

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- c. Mark Cartwright, Ph.D. – Dr. Harness reviewed the Application for Licensure of Dr. Cartwright. Finding that Dr. Cartwright had not met the requirements for licensure, pursuant to the Louisiana Administrative Code, Title 46, Part LXIII. §105.E., Dr. Harness moved to deny licensure and notify Dr. Cartwright of the eligibility requirements to reapply. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.
- d. JoAnn Radeke, Ph.D. – Dr. Gibson reviewed the Application for License Reinstatement of Dr. Radeke. Finding that Dr. Radeke had met the requirements for reinstatement, moved in favor of reinstating Dr. Radeke’s License Number 1357. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.
- e. Lesajean Jennings, Psy.D. – Dr. Gibson reviewed the Application for License Reinstatement of Dr. Jennings. Finding that Dr. Jennings had met the requirements for reinstatement, moved in favor of reinstating Dr. Jennings’ License Number 1305. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.
- f. Thomas Warner, Ph.D. - Dr. Gibson reviewed the Application for License Reinstatement of Dr. Warner. Dr. Gibson moved in favor of reinstating Dr. Warner’s License Number 888, pending receipt of outstanding documentation required by the Board, without further review. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.
- g. Claudia Schott, Psy.D. - Dr. Gibson reviewed the Application for License Reinstatement of Dr. Schott. Dr. Gibson moved in favor of reinstating Dr. Schott’s License Number 959, pending receipt of outstanding documentation required by the Board, without further review. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.
- h. Robert Shaffer, Ph.D. – Dr. Gibson reviewed the Application for Temporary Registration of Dr. Shaffer. Dr. Gibson moved to deny Dr. Shaffer’s Temporary Registration, pursuant to the Louisiana Administrative Code, Title 46, Part LXIII. §1001.G. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

1:14 p.m. **OPEN MEETING:**

CONSENT AGENDA:

Ms. Monic called for the review and consideration of item removal from the Consent Agenda. The Board discussed implications of removal of certain items. Following discussion and consideration, no items were removed.

Ms. Monic read aloud the Consent Agenda Items for consideration by the Board for affirmation, ratification, adoption, approval, and/or conferral as follows:

CONSENT AGENDA

a. Minutes (Approval):

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See Discussion Item #1

b. Financial Statements Received (Affirm and Ratify):

February, March, April 2022 – General Ledger, Balance Sheet, Budget vs. Actual, Profit & Loss

c. Temporary Registrations approved (Affirm and Ratify):

Name	State of Residence	Reviewer	Date Approved
ZICK, Elizabeth A.	New York/3 rd Registration	J.Monic	3/29/2022
MERCADO, Janyna	Texas/2 nd Registration	J.Monic	3/31/2022
WARCHOCKI, Heather	New York	J. Monic	5/10/2022
FORMY-DUVALL, Lauren	Withdrew registration.	N/A	N/A
HANSEN, Bethany Ann	Nebraska/3 rd Registration	J.Monic	5/31/2022
KRUSZEWSKI, Denise	California/1 st Registration	J.Monic	6/22/2022

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

Applicant	Supervisor	Reviewer	Date Approved
None to report			

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

Candidate	Supervisor	Reviewer	Date Approved
FRANKLIN, Hezekiah	Andrew Magers	Michelle Moore	5/11/2022
BATISTE, Chanelle B.	Michelle Moore	T. Shavaun Sam	5/12/2022
BOUTTE, Jill	Sean Ransom	Michelle Moore	5/18/2022
DEL CORRAL WINDER, Sebastian	Joy Osofsky	Gina Gibson	5/20/2022

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

Candidate	Reviewer	Date Approved
RICHERAND, Laura L.	Michelle Moore	3/31/2022

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

Candidate	Reviewer	Date Approved
PRAZAK, Michael	S. Sam	06/08/2022
CANAVERA, Kristin	M. Moore	06/17/2022

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
GRANDE, Jessica	Developmental	04/07/2022	G. Gormanous/M. Moore
CECIL, Audrey	Clinical	06/21/2022	G. Gormanous/M. Moore
BINAZIR, Nahaal	Clinical	06/20/2022	G. Gormanous/T.Sam
CABELDUE, Mollimichelle	Clinical	6/14/2022	G. Gormanous/M. Moore
SMOTHERMAN, Jesse	Clinical	6/21/2022	G. Gormanous/M. Moore
MUSE, Paula	Clinical	6/22/2022	G. Gormanous/T.Sam
DAVIS, Martale	Clinical	6/9/2022	G. Gormanous/T.Sam
SHAPRIO, Mary	Clinical	6/9/2022	M.Moore/T.Sam

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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
KUTZ, David J.	Clinical	5/20/2022	G.Gibson/M.Moore
BENDER, Scott	Clinical	6/15/2022	G. Gormanous/T.Sam
LEWIS, Adam	Counseling	6/15/2022	G. Gormanous/T.Sam
KAPLOW, Julie	Clinical	6/13/2022	G. Gormanous/T.Sam

j. License Respecialization:

Name	Current Specialization	Added Specialization	Date of Examination	Examining Members
ALLAIN, Elizabeth	School	Clinical	6/17/2022	M.Moore/T.Sam

k. License Reinstatements (Board Conferral):

Name	Reviewer	Date
None to report		

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

Name	Review Type	Reviewer	Date Approved
None to report			

m. 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. Sam moved to affirm receipt of the board financial statements, to ratify the approvals rendered by board members in processing applications and temporary registrations; and to confer and issue licenses to candidates based on the recommendations offered by examining board members. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

DISCUSSION/ACTION ITEMS

Draft Board Meeting Minutes: February 18, 2022 and March 18, 2022 - The Board reviewed, discussed and corrected Minutes of February 18, 2022 for clarification on **P21-22-09P Received 1/11/2022**. Additionally, the Board considered input from Dr. Gregory Gormanous’ written comments he presented regarding the LSBEP Minutes. Dr. Sam moved to approve the minutes with corrections. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

The Board reviewed, discussed and corrected Minutes of March 18, 2022. Additionally, the Board considered input from Dr. Gregory Gormanous’ written comments he presented regarding the LSBEP Minutes. Dr. Sam moved to approve the minutes with corrections. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

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1. **Consideration of Optional Route toward rulemaking and review of Department of Justice: Occupational Licensing Review Program** – See Page 2, Executive Session Item #2 for discussion and motion.

2. **Louisiana Psychological Association Letter to LSBEP 6-20-2022** – Ms. Monic reported that the Board reviewed this letter in Executive Session with Attorney Lowe.

3. **Update from Ad Hoc Hiring Committee with introduction of New Employees; Notification of Vacancy for In-house Counsel; Clarification of role of In-house Counsel; Considerations for continuance of delegated authority once purpose is fulfilled; and/or plan for dissolution of Ad Hoc Committee once purpose is fulfilled.**

Ms. Monic reported that Ms. Adrienne Aucoin had submitted her two-weeks notice and her last day would be July 1, 2022 which would leave the In-house Counsel position vacant. Dr. Gibson reported that the Ad Hoc Hiring Committee had met to discuss potential recommendations to the Board, however decided to docket an item for discussion since the position was previously filled and the duties of the originally established Ad Hoc Hiring Committee had been filled. Dr. Gibson requested consideration for procedures for proceeding with filling the position. The board thoroughly and collaboratively discussed this matter. Mr. McNeely moved that the Board repost for the position; notify previous candidates who applied for the position to re-apply; and that rolling interviews be conducted until the Committee has a qualified Candidate to recommend to the Board for a hiring decision. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

Additionally, Dr. Gibson reestablished the Ad Hoc Hiring Committee to fulfill the duties set forth in Mr. McNeely's motion to include Dr. Gormanous, Dr. Sam and Mr. McNeely.

4. **POLICY:** The Board discussed the potential for moving forward with drafting and adopting policies as follows:

- a. **Policy for Accommodations under ADA** – Mr. McNeely moved to table this discussion until next month. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.
- b. **LSBEP Future Meeting: format/live streaming meetings, in-person meeting requirements, scheduling, and mitigation measures.** – The Board discussed future meeting formats specifically related to capability to electronically live stream meetings and also to consider setting a standard meeting date (e.g. the third Friday of every month).
- c. **Adopting the practice of recording open sessions LSBEP meetings.** Dr. Sam moved in favor doing due diligence on adopting the practice of recording Open Board Meetings (storage, public record implications, destruction). The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.
- d. **Oral Examinations** – Ms. Monic reported that following consultation with Attorney Lowe, the Board is required to return to its standard procedures now that the Executive Order related to Covid 19 is no longer in place, including returning to in-person Oral Examinations. Dr. Sam reported on areas for improving the Oral Examination process, including adherence to a Candidate's Declaration of Competencies that are accepted prior to examining the Candidate and procedures for how a Candidate can amend their Competencies. Following discussion, Dr. Sam agreed to draft changes for the Board's consideration.
- e. **Cybersecurity Management Financial Security Procedures** – Ms. Monic reported she was looking into the requirements for policies and procedures for Cybersecurity Management and Financial Security.
- f. **Hiring Authority, Practices, and Procedures** – This matter was discussed and no action was taken.
- g. **LSBEP Travel Policy and PPM 49** – Ms. Monic reported substantial changes to the State's Travel Policy, in order for the Board to consider its policy to follow PPM49 without further amendment. The Board discussed changes. No action was taken.

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BUDGET: Louisiana Legislative Auditor La. R.S.24:517.3.A and new Acknowledgment for fee responsibility.

The Board discussed updates to the Budget proposed by CPA, Valerie Dominique, based on actual expenditures for the fiscal year ending June 30, 2022 and including changes to the Legislative Auditor Agreement which established more of a contractual agreement where the Board would pay the amount due directly to the Contractor rather than reimburse the La Legislative Auditor. Ms. Monic explained that on drafting the changes, she was not aware of Ms. Aucoin's resignation, therefore she asked the Board to table consideration of adopting changes for the ensuing FY July 1, 2022 – June 30, 2023 until an updated draft could be provided for their consideration. The Board discussed this matter and reviewed the proposed changes. Mr. McNeely moved in favor of adopting the amended budget for FY ending June 30, 2022. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

Mr. McNeely moved to grant authority to Ms. Monic, in her capacity as Executive Director for the Board, to acknowledge the Board's commitment and compliance for financial responsibility in accordance with R.S.24:517.3.A.

LSSP Self-nominations for term 7/1/2022-6/30/2025 – Ms. Monic reported that Dr. Katherine Chenier submitted a Self-nomination to serve the LSSP Committee for a second term. No other self-nominations were received prior to this meeting. The Board reviewed and discussed Dr. Chenier's self-nomination. Dr. Sam moved in favor of reappointing Dr. Chenier for the term 7/1/2022 – 6/30/2025. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

5. **Moving the LSBEP checking account (G.Gormanous)** – This matter was tabled.

6. **Louisiana Legislative Audit and LSBEP response.** – Ms. Monic presented that the Audit was complete and that she and Dr. Gibson collaborated with Attorney Lowe on the final response. Ms. Monic noted that she would be working on developing processes and procedures to comply with the findings.

7. **ASPPB Publications Review Committee request for feedback RE Resources for the Regulation of Practicum Experience for Licensure Requirements. Due Monday, July 11, 2022.** – Ms. Monic presented this topic to the Board. No action was taken.

8. **Rulemaking (Updates and Action Items)-** Ms. Monic provided the Board with the final reviewed rules approved by Attorney Lowe. Mr. McNeely moved in favor of affirming the legal reviewed document and proceeding with rulemaking on the following: Chapter 1. Definitions; Chapter 2. Reciprocity; Chapter 3. Training and Credentials; Chapter 6. Fees; Chapter 7. Supervised Practice Leading toward Licensure; Chapter 8. Continuing Education; Chapter 9. Licenses; Chapter 10. Temporary Registrations; Chapter 11. Supervision of Assistants to Psychologists; Chapter 12. Criminal History Records Information; Chapter 14. Telepsychology and Telesupervision; Chapter 17. Specialty Titles; Chapter 19. Public Information; Chapter 34. Specialist Programs in School Psychology; Chapter 40. Continuing Education Requirements of Licensed Specialist in School Psychology; Chapter 42. Ethical Standards for Licensed Specialists in School Psychology. No further discussion was made on the topic. The motion being put to a roll-call vote passed unanimously by the members present as follows: In favor: (4) Gibson, McNeely, Harness, and Sam; Against: (0); Abstained: (0); Absent: (2) Gormanous and Moore.

9. **2022 Regular Legislative Session Report on Legislation and Impacts on Board Operations (A. Aucoin)** – Due to time limitations, this matter was tabled for the July 2022 Board Meeting.

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10. **Jurisdiction Issues between Federal and State regulation of psychologists (G. Gibson)** – Dr. Gibson presented this topic to highlight an issue that LA licensed psychologists who work for the federal government are being told that they cannot report another psychologist to the board, that only a VA hospital director can do this. Dr. Gibson noted an example of concern for this policy would be an impaired psychologist, who refuses treatment and the conflict created for a Louisiana Licensed Psychologists obligation to Louisiana licensing laws and ethical code. VA psychologists have been instructed that they are able to consult with VA lawyers about ethical concerns.

OLD BUSINESS

11. **Reviewing the continued utilization of the Examination for Professional Practice in Psychology to fulfill the requirement of to assess professional knowledge under R.S. 37:2356. (G. Gibson/G. Gormanous)** – Dr. Gibson reported that additional information has been sent to the Board, by the individuals raising concerns about the use of the EPPP. Dr. Gibson recommended that a committee be formed to comprehensively study the concerns addressed in the complaint about the EPPP and its bias against minority populations and that in order to avoid the perception of bias, board members with close ties to ASPPB should not be members of the committee.

12. **Written notification to LAMP with respect to the motion of March 18, 2022 (G. Gormanous)** – This matter, requested by Dr. Gormanous, was tabled.

13. **Draft Opinions (G. Gibson/G. Gormanous)** – This matter involving LSBEP training requirements, routes toward licensure and limitations on practice as they relate to the University of New Orleans (UNO), Ph.D. Developmental Psychology Training Program was tabled.

COMMITTEE AND LIAISON REPORTS:

1. **Executive Committee Report** – Ms. Monic reported on operations as follows: The Board hired In house Attorney Adrian Aucoin – Start Date was May 4, 2022 and Administrative Assistant – Jalyne Brown started on April 29, 2022.

Meetings/appearances:

ASPPB, New Orleans, April 21, 2022 – April 24, 2022 - Dr. Gormanous, Dr. Moore, Dr. Sam and I attended ASPPB from Thursday April 21 to Sunday April 24, 2022. On Thursday, April 21st Ms. Monic attended the Board Administrator and Registrar’s meeting where Janet Orwig gave an update on Psypact. Noteworthy is a change to their fee structure where jurisdictions will only be paying \$10 per licensee that has obtained their IPC or Telepractice Certificate. Jurisdictions are looking for a way to assess a fee to those individuals to pay for their participation in the program. Matt Turner also presented to the group regarding the EPPP2, and reported that 80 applicants have taken the EPPP2 as of the date of his report, no data was offered on pass rates for those persons.

b. LPA Presentation, Saturday, April 9, 2022 12:00 – 1:30 p.m. in New Orleans

c. During Legislative Session Louisiana Executive Directors met weekly to discuss legislation potentially impacting the Board. Ms. Aucoin has been beneficial in assisting with legislative tracking and has prepared a report that will be presented during discussion.

OPERATIONS REPORT:

PUBLIC RECORDS: Since our last meeting 1 Request for Public Record has been received however due to our backlog of work, onboarding new employees, and the broad scope of the request, the record search has not been completed.

APPLICATIONS:

Open Applications in Database – **157**

New Applications Received:

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APPLICATION TYPE	MARCH '22	APRIL '22	MAY '22
LSSP	2	0	5
RECIPROCITY	2	2	1
REGULAR	1	1	4
TEMPORARY	4	0	2
TOTAL	9	3	12

RENEWALS: OPENING RENEWAL REPORT

Renewals open on July 1, 2022.

784 Active Licensed Psychologists:

607 required to renew at \$400

177 eligible for a reduced fee \$200 (last renewal 58 out of 174 eligible requested a reduced fee)

30 Licensed Specialists in School Psychology \$100

14 Provisionally Licensed Psychologist \$100

Finally, Ms. Monic reported on challenges reaching individuals at Sparkhound to make the necessary modifications to the Renewal Fee Schedule in the Renewal Portal. She reported on options for facilitating renewals. The Board discussed these options and determined a Notification to Licensees that license renewals would be delayed due to technical difficulties would be the immediate best course of action. Ms. Monic agreed to issue that notification before the end of the day.

2. Finance Committee –

MONTHLY FINANCIAL REPORT

Date Report Prepared: June 29, 2022

Name of Preparer: Jaime T. Monic

REPORTING PERIOD: 5/1/22 – 5/31/22

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). As of this report, we are 11 months into FY 2021-22. Significant income trends include

TYPE	AMOUNT	BUDGETED	Trends/Notes
INCOME:			
Income: Projected Revenue	\$ 342,713.06	\$355,125	Despite not having implemented the Registration of Assistants and with one month remaining in the FY we have collected 96.5% of the projected revenue.
Reported Income for March - May 2022 was 45.6% less than that same period in 2021. This is due to the loss of employee sharing expenses of a Compliance Officer with LBAB. Their share was included as revenue. Additionally, reimbursement of disciplinary judgements were being collected. These amounts are difficult to budget for since the board cannot predict the number of complaints or the outcome of an investigation.			
EXPENSES:			
Overall expenses are at or below the budgeted amount. Valerie has recommended some budget amendments to the current FY ending 6/30/2022 and the ensuing FY 7/1/2022 – 6/30/2023 based on the trends and board approved changes.			
INCOME SUMMARY			
Monthly Income	\$6,575	YTD Income	\$ 342,713.06
Monthly Expense	\$ 37,380.49	YTD Expense	\$ 272,298.67
Total Net Income	\$-30,805.49	Total Net Income	\$ 70,414.39

COMMONLY USED ACRONYMS/ABBREVIATIONS:

ASPPB – Association of State and Provincial Psychology Boards
LAC – Louisiana Administrative Code
LAPA – Louisiana Administrative Procedures Act
EPPP - Examination for Professional Practice in Psychology

LPA – Louisiana Psychological Association APA – American Psychological Association
LA R.S. – Louisiana Revised Statutes FY/FYE-Fiscal Year/Fiscal Year End
LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes
LSPA – Louisiana School Psychology Association

The last amended budget on November 12, 2021 took into account COVID19 related savings, and current downward trends in contract spending. With the recommended budget amendments, there is an anticipated increase in the fund balance (cash on hand) to be carried over to 2022-23 now estimated to be **\$92,078** (up from \$67,733). However, the fund balance has continued to decrease from past Fiscal Years and the revised unreserved fund balance is still anticipated to be a negative amount of \$-262,363.

As of May 2022, our budget is stable. Although we did not achieve the revenue budgeted, conservative management, underspending on expenses (including Board Travel and Meeting Expenses), and delayed hiring of employees has offset the loss of revenue. However, there were unanticipated legal expenses requiring attention from the Board's General Legal Counsel in the matter *Gormanous vs. LSBEP and Jaime T. Monic*. Although the Office of Risk Management has assumed the defense of the Board and Ms. Monic, General Legal Counsel continues to advise the Board on issues, challenges and conflicts with this regard.

The Board should meet their rulemaking goals in FY 2022-23, however added workload that staff faces may cause delays and include staffing; developing new processes and procedures in response to the Legislative Performance Audit; new policy and processes following 2022 Regular Legislative Session; transitioning out of structures put in place that allowed the board to function through COVID19; interviewing, hiring, onboarding and training new employees.

Board Strategy Recommendations: no report

3. Complaints Committee Report (Ggi/GGo) a. Ms. Monic presented the Compliance Report as follows:

COMPLIANCE REPORT

Date Report Prepared: 3/17/2022

Name of Preparer: Adrienne Aucoin

REPORTING PERIOD: 03/18/2022 -06/30/2022

CURRENT:

- Total number of Requests for Investigation (RFI) received: **17**
- Board-initiated RFI's: **0**
- Total number of RFI's referred for investigation: **1**
- Total number of cases to be considered by the Board at this meeting: **2**
- Total number of open cases: **38**
 - **4** are informal resolutions still under monitoring
 - **1** Consent Orders
 - **3** IPPA
 - **13** are active Investigations
 - **3** from FY19-20
 - **4** from FY 20-21
 - **6** from FY 21-22
 - **20** are under review/Respondent not yet noticed
 - **20** from FY 21-22

FY 2021-22 To Date:

- Formal hearings scheduled: **1 pending (new date TBD) and 1 anticipated**
- Face to Face Meetings Scheduled: **0**
- Disciplinary Actions: **1**

b. Notice of Hearing In the Matter Ernest Ellender, Ph.D. Complaint No. P20-21-20C; request for date; request for Conflict of Interest Statements from Board Members. - Ms. Monic reported to the Board that the July 7, 2022 hearing had been extended and requested the Board set a new date for hearing and also that Board Members submit Conflict of Interest Statements so that a timely request for Pro Tem Board Members could be requested from the Governor's office.

COMMONLY USED ACRONYMS/ABBREVIATIONS:

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LSPA – Louisiana School Psychology Association

APA – American Psychological Association

FY/FYE-Fiscal Year/Fiscal Year End

Following consideration of next meeting dates, the Board agreed and affirmed the following dates:

July 15, 2022 – Regular Board Meeting

August 26, 2022 - Hearing In the Matter Ernest Ellender, Ph.D. Complaint No. P20-21-20C

At approximately 4:30 p.m. facing loss of a quorum, Mr. McNeely moved to table the remaining committee reports and adjourn.

ATTACHMENTS:

Appendix A: "BOARD MEETING MINUTES June 30, 2022 STATEMENTS FOR THE RECORD | June 30, 2022 Meeting | Submitted for the record by email on June 30, 2022, 5:33am CT"Page 1 of 4

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.

COMMONLY USED ACRONYMS/ABBREVIATIONS:

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STATEMENTS FOR THE RECORD

June 30, 2022 Meeting

Submitted for the record by email on June 30, 2022, 5:33am CT.

To Dr. Gibson, Fellow Board Members, & the Public who the Board is charged to Protect

I am Greg Gormanous, LSBEP Vice-Chair

I have multiple public comments that I want read into the record at the beginning of the meeting & included in the record verbatim under the provisions of the Louisiana Open Meetings Act (LOMA).

NB. Some of these concerns were previously sent to LSBEP to give the Board the opportunity to avoid violating LOMA.

Statement # 1

Agenda item: Call to order

I was considering physically attending the JUN 30 meeting. However LDH has reported EBR Parish has an increase in infections with 29% of new cases statewide being the BA 4 & BA 5 variants (Data are from JUN 24, 2022).

Because of the increased risk, I will not attend. I share concerns publicly with this written copy of my statement that is made for transparency purposes with the intent of complying with LA Open Meetings Law.

As a sitting board member and Vice Chair who has been intentionally disenfranchised, I am not allowed to participate as a voting & full member because I have been discriminated against based on RS 46: 1307 A. (PROFESSIONAL AND OCCUPATIONAL STANDARDS, Part LXIII. Psychologists).

Specifically I speak to the risk & vulnerability of the board making decisions & taking actions during a meeting that has been improperly constituted. I base my statement on *APA Standard 3.01 Unfair Discrimination: In their work-related activities, psychologists do not engage in unfair discrimination based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, **disability**, socioeconomic status, or any basis proscribed by law.* (RS 46: 1307 A).

I believe the effect of an improperly constituted meeting has the potential for jeopardizing due process for actions today.

Statement # 2

Agenda item: Infectious Disease Mitigation - Notice of Meeting protocol

I do not understand by what authority this decision was made. Therefore I inquire with respect to the rationale & legality of this decision for these reasons:

- 1). The board currently *has* "**the resources or authority**" to manage interactive meetings. Note that the LSBEP has the technology & had hired two (2) additional full time employees prior to this decision (one position is now vacant).
- 2). LSBEP has the authority to offer synchronous interactive meetings as it has hosted them successfully since 2020. This includes the MAR 18, 2022 meeting which had in-person & Zoom attendees as did a previous hearing.
- 3). This practice was improperly implemented because the decision was not made by the Executive Committee which was authorized to do so by motion at the MAR 18, 2022 meeting or by the full Board.
- 4). This may be an inadvertent attempt to protect the board from its duty to be accountable to psychology stakeholders & the general public. It creates a barrier to Louisiana's Open Meetings Law.

According to R.S. 42:12(A), the Open Meetings Law should be construed liberally. This means that if there is a question as to interpretation of a provision the entity should provide as much access/openness as possible. The Open Meetings Law operates with a general premise that all meetings of public bodies should be open to the public. The burden, therefore, is on the individual seeking to engage in closed meetings to prove that an exception applies allowing the closing of the meeting. Restricting & limiting previous access by the public for comments is not construing the law liberally.

Furthermore, as a sitting board member and Vice Chair, I was not aware of this new practice until JUN 28, 2022. Notice of this should have been sent to all board members?

Are all board members aware of how, why, when this was decided since it is a radical change which deviates from the intent of LOMA?

How does this barrier safeguard life, health, property, and the public welfare, and in order to protect the people of this state against unauthorized, unqualified and improper application of psychology?

A former board chair recently remarked to me that **no information is the norm for board communications**. This rings true!

This statement is also an objection about the notice obscurely embedded (dated June 10, 2022) for the now postponed July 7, 2022 hearing. It is made on behalf of the public I took an oath to protect.

Until further notice, open meetings will continue to be live-streamed via Zoom to allow for public citizens and/or licensees to safely observe Board Meetings. NOTE, the board does not

have "**the resources or authority**" to manage both an online meeting and an in-person meeting, therefore two-way communication is not an option. Public comments on agenda items may be mailed to the Board and shall be read into the record if received no later than 24 hours before the meeting convenes; members of the public may also attend in-person to comment on docketed agenda items.

This is a violation of the LA Open Meetings Act.

Statement # 3

Agenda Item: Executive Session: Legal Issues & Strategy

This is a violation of the LA Open Meetings Act.

Specifically Items are not described reasonable specificity.

R.S. 42:19

A. 14. *Each item on the agenda shall be listed separately and described with reasonable specificity.*

A.31. *A body is not allowed to close a meeting to discuss the possibility of litigation. It may discuss in closed session current litigation that is on-going and already filed **only if discussion in open meeting would be detrimental to the body's position in the litigation.***

*A body must also ensure that the **proper information concerning the case number, statement of the matter, identity of the court and parties, is included on the agenda and public notice prior to the meeting in which the closed session will occur.***

Statement # 4

Agenda item: Ad Hoc Hiring Committee

This item dealing with hiring practices will unfortunately necessitate discussing the fact that the Board agreed upon "best practices" of screening, search & selection were not followed.

Statement # 5

Agenda item: Minutes

Waiting over 3 months to provide an initial draft of the MAR 18, 2022 minutes is poor administrative practice.

Waiting over 4 months to acknowledge & correct a previously communicated major omission (or hopefully inadvertent error) in the draft of the FEB 22, 2022 minutes borders on mismanagement. I hope it is solely due the backlog of work & is not intentional.

I apologize to my fellow board members for adding to a stressful meeting; however, **due diligence & public vigilance is essential to executing effective & defensible board operations.**

Thank you.

