

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

Friday, July 21, 2023

FINAL APPROVED: October 20, 2023

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed, and the final agenda was posted and emailed to individuals and the news media who have requested to receive notices of LSBEP meetings on Thursday, July 20, 2023. 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

Attendance:

Board Members Present: Dr. Michelle Moore, Dr. Shannae Harness, Dr. T. Shavaun Sam, Dr. Matthew Holcomb, Dr. Shawanda Woods-Smith

Board Members Absent: Mr. Chance McNeely

Staff Present: Executive Director, Jaime T. Monic, Administrative Assistant, Jalyne Brown, and Executive Counsel (Prosecuting Attorney) Jonathon Wagner

Zoom Attendees: Alan Behrman, Kim VanGeffen, Richard Niolon, Greg Gormanous, Michael Gee, Chloe Brubaker,

CALL TO ORDER: A quorum of members being present, the Board Vice Chairperson (acting Chairperson), Dr. Michelle Moore, called the meeting to order at 9:08 a.m. on Friday, July 21, 2023.

DECLARATION OF PURPOSE: Dr. Moore 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.”*

REVIEW AND APPROVAL OF AGENDA: Dr. Sam moved to approve the agenda with a correction to Dr. Woods-Smith’s degree as “Psy.D.”; and the following additions/corrections to the Consent Agenda:

1. Correct the reviewer under **Supervised Practice Plans approved (Affirm and Ratify)** for Sam Allouche from M. Moore to S. Sam
2. Add Sam Allouche and Michael Gee to **Applicants approved for Candidacy Status and issued Provisional Licensure (eligible for EPPP) (Affirm and Ratify)**
3. Add Michael Gee to **Candidates approved for Oral Examination or Face to Face (Affirm and Ratify):**

Following opportunity for discussion, the motion to approve the agenda passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

WELCOME OF NEW BOARD MEMBER: Dr. Moore welcomed the Board’s newly appointed member, Shawanda Woods-Smith, Psy.D., who was appointed by Governor John Bel Edwards to serve for the Term 7/14/2023 – 6/30/2028.

ELECTION OF OFFICERS:

COMMONLY USED ACRONYMS/ABBREVIATIONS:

APA – American Psychological Association

EPPP - Examination for Professional Practice in Psychology

LAPA – Louisiana Administrative Procedures Act

LSA – R.S. – Louisiana Statutes Annotated Louisiana Revised Statutes

ASPPB – Association of State and Provincial Psychology Boards

LAC – Louisiana Administrative Code

LPA – Louisiana Psychological Association

LSPA – Louisiana School Psychology Association

LA R.S. – Louisiana Revised Statutes

FY/FYE-Fiscal Year/Fiscal Year End

Call for Nominations/Self-nominations for Chairperson – Dr. Moore called for nominations for Chairperson. Dr. Harness moved to nominate Dr. Michelle Moore to serve as Chairperson. No other nominations were offered and nominations were closed. Dr. Moore accepted the nomination. The motion, having been put to a roll call vote of the members present, passed unanimously as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

Dr. Moore called for nominations for Vice Chairperson. Dr. Holcomb moved to nominate Dr. Shannae Harness to serve as Vice Chairperson. No other nominations were offered and nominations were closed. Dr. Harness accepted the nomination. The motion, having been put to a roll call vote of the members present, passed unanimously as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

COMMITTEE APPOINTMENTS:

As her first official act as Chairperson, Dr. Moore made the following Committee Appointments:

1. **Executive Committee:** Dr. Michelle Moore, Committee Chair, Dr. Shannae Harness, Jaime Monic
2. **Finance** – Dr. Michelle Moore, Committee Chair, Dr. Shannae Harness, Jaime Monic
3. **Complaints** –Dr. Michelle Moore, Committee Chair, Dr. Shannae Harness, Jaime Monic
4. **Continuing Professional Development** – Dr. Shannae Harness, Committee Chair, Dr. T. Shavaun Sam, Dr. Matthew Holcomb
5. **Jurisprudence Examination** – Dr. Matthew Holcomb, Committee Chair, Dr. Shawanda Woods-Smith
6. **Legislative Oversight** – Mr. D. Chance McNeely, Committee Chair, Dr. Matthew Holcomb, Dr. Shawanda Woods-Smith
7. **Liaison to Professional Organizations and Boards** – Dr. Matthew Holcomb, Committee Chair, Dr. Shawanda Woods-Smith
8. **Long Range Planning** – Dr. Michelle Moore, Committee Chair, Dr. Shannae Harness
9. **Oral Examination** –Dr. Shavaun Sam, Committee Chair, Dr. Michelle Moore
10. **Public and Professional Outreach** –Mr. D. Chance McNeely, Committee Chair, Dr. Shavaun Sam, Dr. Shawanda Woods-Smith
11. **Supervision/Credentials** – Dr. T. Shavaun Sam, Co-Chair, Dr. Shawanda Woods-Smith, Co-Chair

DISCUSS GOALS AND OBJECTIVES:

Dr. Moore, read the following statement of her goals and objectives for her tenure as Chairperson:

Since my term on the Board began in July 2019, I have had the opportunity to witness the power and privilege that accompanies the role of Chair. As I have reflected on my final year of service, I have considered what contributions and impact I could make if I had the opportunity to serve in this role. I appreciate the vote of confidence from my fellow Board members who believe in my ability to lead and guide LSBEP for the next year.

My aim over the next year is to engage in productive and open-minded conversations with the diverse group of individuals who create the foundation for our current Board. I welcome each Board Member to bring their perspective and curiosity to discussions to allow for fruitful contributions with the potential to create positive change. I encourage all Board Members to remain open to alternative perspectives when they do not match your own viewpoint and give respect to one another as we debate and discuss. I welcome the engagement of our liaisons and professional organizations whose perspectives brings real world practice into the Board room, which is imperative for consideration when making decisions that impact our profession.

Over the course of this year, I hope that together we can focus on the following:

1. *Remain active with ASPPB to ensure that we are in the room when discussions are had, and decisions are made that will impact our work.*
2. *Prepare LSBEP for regulatory changes in the future related to Master's Level licensing to ensure that we are forward thinking and equipped to handle what the future holds.*

3. *Revisit our opinion on PSYPACT and the potential to improve the reach of psychological services for Louisiana licensed psychologists and the citizens of Louisiana who seek psychological services in our state.*
4. *Continue to discuss the impact of the EPPP both Parts 1 and 2 and engage in discussions that enhance our perspective on the effect that these exams hold on our current and future candidates and the profession of psychology as a whole.*
5. *Discuss the current use of registration of specific specialty areas with consideration to focus at the broader level on health service psychology versus general applied psychology.*
6. *Reflect on our current practices more broadly to ensure that we are not creating undue barriers to licensure for those seeking to enter into the field either through our operational procedures or within the rules that we create and uphold.*

Lastly, I want to acknowledge the efforts and commitments of past chairs who have shaped this Board over time as well as appreciation for those currently serving on the Board who have selflessly given their time and effort to support the sustainability of the Board's mission. I also want to acknowledge our Executive Director, Legal Counsel, Administrative Assistant and Complaints Coordinator who are dedicated to their roles even when there are obstacles and are steadfast in their work to support the mission of LSBEP. I am humbled to serve as Chair of LSBEP and committed to lead this organization for the next year.

CONSENT AGENDA

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

a. Minutes (Approval):

April 21, 2023 Minutes

b. Financial Statements Received (Affirm and Ratify):

April 2023 and May 2023 General Ledger, Balance Sheet, Budget vs. Actual, Profit & Loss

c. Temporary Registrations approved (Affirm and Ratify):

Name	State	of	Reviewer	Date/Result
Kristen Gerstenecker, Psy.D.	Alabama		J. Monic	5/2/2023-Approved
LaFaye Marshall, Psy.D.	Maryland		J. Monic	5/15/2023- Approved
Amy Draton, Ph.D.	Nebraska		J. Monic	6/6/2023- Approved

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

Applicant	Supervisor	Reviewer	Date/Result
Sam Allouche, Ph.D.	Michael Major	S. Sam	5/24/2023- Approved

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

Candidate	Supervisor	Reviewer	Date Approved
Maria Vazquez, Ph.D.	Janaki Flint	M. Moore	7/11/2023 - Approved
Sam Allouche, Ph.D.	Michael Major	S. Sam	7/19/2023- Approved
Michael Gee, Ph.D.		S. Sam	7/19/2023 – Approved

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

Candidate	Reviewer	Date Approved
Kizzy Dixon, Ph.D.	J. Monic	5/12/2023 - Admitted to EPPP
Donice Banks, Ph.D.	J. Monic	5/12/2023- Admitted to EPPP

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

Candidate	Reviewer	Date Approved
Mallory Garza, Ph.D.	M. Moore	7/11/2023 Invite to Oral Exam
Michael Garza, Ph.D.	M. Moore	7/11/2023 Invite to Oral Exam
Kiran Mirchandani, Psy.D.	M. Moore	7/11/2023 Invite to Oral Exam
Ryan Hill, Ph.D.	M. Moore	7/11/2023 Invite to Oral Exam
Cindy Stear, Psy.D.	M. Moore	7/11/2023 Invite to Face to Face
Michael Gee, Ph.D.	S. Sam	7/19/2023 Invite to Oral Exam

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
Kimberly C. Kent, Ph.D.	Not Registered	06/16/2023	T. Shavaun Sam, Jesse Lambert
Samuel Behrman, Ph.D.	Not Registered	06/16/2023	Michelle Moore, T. Shavaun 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	Date of Examination	Examining Members
None to report			

j. Licensure recommendations from the LSSP Committee of applicants for Licensed Specialist in School Psychology (LSSP) who have completed all licensing requirements (Board Conferral):

Name	Date of LSSP Committee Review	Committee Reviewers
Ashlyn Lege	6/7/2023	K. Chenier, G. Hebert, K. Pursell

k. Applications Withdrawn

Name	Date Received	Date Withdrawn	Reason
Jessica L. Semmann	5/22/2023	7/17/2023	Applicant Requested/Not pursuing

l. Applications for Registration of an Assistant to a Psychologist:

ATAP Name	Supervisor(s)	Date of Review	Reviewers
Rhonda Hendris	Maria Kattan (Primary)	6/16/2023	Dr. Moore and Dr. Sam
Taylor T. Allen	Brenna F. Sapotichne	6/16/2023	Dr. Sam and Dr. Moore
Jaret Gary	David Landry	6/30/2023	J. Monic
Zachary T. Boudreaux	Alex C. Birdsill	6/30/2023	J. Monic

m. License Respecialization:

Name	Current Specialization	Added Specialization	Date of Examination	Examining Members
None to report				

n. License Reinstatements (Board Conferral):

Name	Reviewer	Date
Gilbert Martinez, Ph.D.	S. Harness	6/26/2023 - Approved

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

Name	Review Type	Reviewer	Date Approved
None to report			

p. Shared News releases/general information/previously approved business (Affirm):

1. May 1, 2023 Notice from APA Office of Program Consultation and accreditation RE the proposed removal of the timeline and maximum amount of Telesupervision a student/intern/resident may receive.
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Following the reading of the Consent Agenda, Dr. Moore called for motions to object or to approve the Consent Agenda. Regarding the items specified on the Consent Agenda, Dr. Holcomb moved to approve, affirm, and ratify the items on the Consent Agenda accordingly. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

EXECUTIVE SESSION: Dr. Moore moved to enter Executive Session at 9:48 a.m.. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

OPEN MEETING: Dr. Moore moved to exit Executive Session at 10:39 a.m. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

On return to Open Meeting, the Board began with Committee Reports:

COMMITTEE AND LIAISON REPORTS

The Board received the following reports:

1. Executive Committee Report by Ms. Monic:

- The 2023 Regulatory Update and Training, Part I and II have been published. 144 individuals completed the course evaluation and received credit for Part I; 89 individuals completed the course evaluation and received credit for Part II.
- The Board is now accepting Registration of an Assistant To A Psychologist Applications and has received materials and criminal background checks on approximately 50 individuals to date.
- Renewal Update - Opening Renewals included:
 - a. 789 Licensed Psychologists
 - i. 409 Reporting CPD
 - ii. 200 May qualify for a reduced fee or Psychologist Emerit: Retired if criteria met.
 - b. 34 Licensed Specialists in School Psychology
 - c. 12 Provisionally Licensed Psychologists
 - d. As of 7/19/2023 COB Outstanding Renewals included 207 Licensed Psychologists, 15 LSSP, 8 Provisional.
- Board Members were reminded to turn in expense reports for approval; continue to work on 2023 Required Board Member Trainings and send certificates to Jaime or Jalyne.

• OPERATIONS SINCE THE LAST REPORT:

1. New Applications Received:

APPLICATION TYPE	April '23	May '23	June '23
LSSP	0	1	1

PSYCHOLOGIST	1	3	3
TEMPORARY	4	0	0
ATAP	N/A	N/A	5
TOTAL	5	4	9

2. PUBLIC RECORD REQUESTS – 0
3. Major Meetings/appearances:
 - i. LSSP Committee Meeting June 7, 2023
 - ii. Executive Committee Meeting, June 10, 2023
 - iii. Presentation to the Louisiana Psychological Association with Drs. Gormanous, Moore and Holcomb – June 10, 2023
 - iv. Supervision and Credentials Committee Meeting June 16, 2023
 - v. Oral Examinations - June 16, 2023

- **Before the next Board Meeting:**

1. Conducting oral examinations for approximately 10 candidates eligible for Oral Examinations in September.
2. Completing end of year reports for Fiscal Year 2022-23; Annual Financial Report for the Office of Financial Accounting and Reporting; and engaging in the 2022-23 Financial Audit with the Louisiana Legislative Auditors office.
3. Registration/attendance at ASPPB’s Annual Meeting September 27th – October 1st.
4. Issuing LSBEP’s Call for Nominations for the 7/1/2024 – 6/30/2029 Board Seat
5. Working with Covalent on Development of Licensing System.
6. Goal to begin developing in-house board member training to include Code of Governmental Ethics for Board Members, Complaint and Hearing Process

2. **Finance Committee**

- a. Leave Report – no report.
- b. Financial Statements –Ms. Monic provided the following written Financial Report summarizing the financial statements that have been provided to Board Members:

MONTHLY FINANCIAL REPORT			
Date Report Prepared: July 20, 2023			
Name of Preparer: Jaime T. Monic			
REPORTING PERIOD: 4/1/2023 – 5/31/2023			
Financial Reports have been provided to members for the months April and May 2023.			
TYPE	AMOUNT	BUDGETED	Trends/Notes
INCOME:			
Income:	\$398,618.42	\$391,274	With one month remaining to report in FY 2022-23, the Board has collected 101.8% of the total projected budget. We are over budget on Total renewal fees, temporary registrations are up, disciplinary judgements, mailing lists and miscellaneous income.
EXPENSES:			
Expenses:	\$342,948.96	\$440,856	Overall expenses are at or below the budgeted amount. Although some line items are over budget including Credit Card Processing fees, Printing and Reproduction, Insurance-Property/Liability. There is a discrepancy in the budgeted and actual amount on health insurance that will need to be clarified with Ms. Dominique.
INCOME SUMMARY JANUARY			
	April	May	YTD
Monthly Income	\$8,153.01	\$5,186.70	\$398,618.42
Monthly Expense	\$31,231.24	\$34,399.52	\$342,948.96

Total Net Income	(23,084.23)	(29,212.82)	\$ 55,669.46
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As of May 31, 2023: The budget is stable, and the board has funds to operate through the end of FY 2022-23. The Board's cash on hand is reported to be \$250,287.77, with an additional \$36,492 in receivables (this total does not include debt owed to the Board in matters older than 2 years old: \$40,622.25 (P16-17-11C – Eric Cerwonka), \$119,991.98 (P15-16-03C – Eric Cerwonka), and \$63,952.29 (P12-13-10C, P13-14-04C, P13-14-05C Glenn Ahava). Your budgeted expenses for FY 2022-23 are estimated to be: \$440,856. There is one month remaining in this fiscal year, and the majority of expenses, particularly contracts, are either at or below what is expected. Therefore, the board should end the year at or just over budget. The Board has met their rulemaking goals in FY 2022-23. This should have a positive impact on revenue in FY2023-24. The Board is well staffed, with three full-time employees. Staff productivity is up, even with the added projects of registration of ATAP's and continuing professional development. Additionally, it is worth noting that financial statements are not available for June due to slow invoicing by contractors/vendors. Ms. Valerie Dominique has reported that the board operates on accrual accounting method where expenses are accounted for when they occur rather than a cash accounting system where expenses are recorded when the bill is received and paid. Therefore, the Board should expect that the financial statement in the month immediately preceding the meeting will not be available for review.

Board Strategy Recommendations:

Roll out new rules and regulations, with outreach communications and training. Focus on adopting new processes and procedures to implement Legislative Performance Audit recommendations including adopting a disciplinary matrix. Implement 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 policy guidelines for Board approval to tap your reserve and then rebuild that amount.

3. **Continuing Professional Development Committee** – Dr. Harness reported that she was planning for August and September reinstatements and preapproval of individual and sponsored activities.
4. **Oral Examination Committee** – No report
5. **Legislative Oversight Committee** – No report
6. **Supervision/Credentials Committee** –
 - a. Dr. Moore reported on the APA Commission on Accreditation’s (CoA) proposed changes to telesupervision requirements, anticipating that the Commission was going to change the standards to allow 100% of supervision at the practicum level.
 - b. Dr. Moore reported on Supervision and Credentials Meeting on June 16, 2023, noting that they had approved 4 ATAP Registrations, discussed the development of Guidelines/Matrix for the review and approval of ATAP’s, and reviewed and approved forms for the administration of the registration and discontinuation of ATAPs including updates to the Application for Registration, Discontinuation Form and Application for Reallocation of Supervision of ATAP.
7. **Complaints Committee** –
 - a. **Complaint Committee Report** - Mr. Wagner presented the following Compliance Report:

<u>COMPLIANCE REPORT</u>
Date Report Prepared: July 20, 2023
Name of Preparer: Jonathon Wagner
REPORTING PERIOD: 4/22/23 – 7/20/23
CURRENT:
<ul style="list-style-type: none"> • Total number of Requests for Investigation (RFI) received since last report: 4 <ul style="list-style-type: none"> ○ Board-initiated RFI’s since last report included in total RFI’s above: 1 • Total number of cases closed since last report: 3 • Total number of open cases: 21 <ul style="list-style-type: none"> ○ 4 are informal resolutions still under monitoring

- 3 Consent Order
- 1 IPPA
- 14 are active Investigations
 - 3 from FY19-20
 - 0 from FY20-21
 - 4 from FY 21-22
 - 7 from FY 22-23
- 4 are under review/Respondent not yet noticed
 - 5 from FY 22-23

FY 2022-23:

- Formal hearings scheduled: 0
- Face to Face Meetings Scheduled: 0
- Disciplinary Actions: 3

- i. **Settlement of State of Louisiana Through the Louisiana State Board of Examiners of Psychologists, of the Louisiana Department of Health vs. Dr. Jeremy Blunt, Psy.D., Stitches For Life, Inc., Docket: C-73317827, 19th JDC** - Mr. Wagner reported on the status of the settlement of State of Louisiana Through the Louisiana State Board of Examiners of Psychologists, of the Louisiana Department of Health vs. Dr. Jeremy Blunt, Psy.D., Stitches For Life, Inc., Docket: C-73317827, 19th JDC. Following this report, Dr. Harness moved that the Board accept the Stipulated Judgement as a settlement and in lieu of prosecution. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.
8. **Jurisprudence Examination Committee** – Dr. Holcomb reported that it is taking longer than he expected to draft new items for the Jurisprudence Examination. He is continues to evaluate and work on new questions to pilot and is focusing awareness on implicit bias and item writing.
9. **Public and Professional Outreach Committee** – No report
10. **Liaison to Professional Organizations** – Dr. Holcomb reported on the presentation to the Louisiana Psychological Association, stating that he was happy to be a part of the presentation. Ms. Monic reported on being invited to speak with the Baton Rouge Area Society of Psychologists, which talk was approved by Drs. Gormanous and Moore. The Board requested that they be advised of future requests for speakers by professional psychology organizations.
11. **Long Range Planning Committee** – Dr. Moore reported that the current January Meeting date falls on January 19th and explained that in the past the Board has met for a full day on the Thursday prior, then ½ a day on Friday culminating in the awards luncheon. The Board agreed to this schedule for planning the agenda and luncheon.

The Board returned to Executive Session items as follows:

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

- a. **P22-23-07C** - Mr. Wagner presented this matter to the Board in Executive Session with a recommendation to dismiss. Dr. Moore moved to accept the recommendation of the Complaint Committee to dismiss. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.
- b. **Informal Resolution: In the Matter of Carole Brunner, Psy.D., License No. 981, Complaint Number P22-23-12P** – In Executive Session, the Board reviewed the Consent Order in the Matter P22-23-12P alleging violations of LAC46:63 §1305(C) Maintaining Competence; §1305(F) Personal Problems and Conflicts and §1307(D) Avoiding Harm as well as the Summary Suspension action taken by the Executive Committee on June 10, 2023. Dr. Moore moved to affirm the Summary Suspension and accept the Consent Order agreed to by Carole Brunner, Psy.D., which upholds the suspension for a minimum period of 6 months. Following an opportunity for discussion, the matter was put to a vote.

The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

- c. **Voluntary Relinquishment of Temporary Registration: In the Matter of Kristen Gerschenegeer, Complaint Number P22-23-17C** - In Executive Session, the Board reviewed the Matter P22-23-17C alleging violations of LAC46:63 §1305(F) Personal Problems and Conflicts and §1307(D) Avoiding Harm. Dr. Moore moved to accept the Letter of Voluntary Surrender of the Temporary Registration from Kristen Gerschenegeer's (a/k/a "Kristen Gersteneke") as an informal resolution to the matter and report the action as required, including the National Practitioner Data Bank. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.
- d. **C23-24-01NP - Recommendation for Closure** - Mr. Wagner presented this matter to the Board in Executive Session with a recommendation to dismiss due to lack of jurisdiction over the respondent or practices alleged. Dr. Moore moved to accept the recommendation to dismiss. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

PRE-APPLICATION ELIGIBILITY REVIEWS [LSA-R.S. 42.17.A(1)]:

The Board discussed the need for a numbering system for these applications for Pre-Application Eligibility Determinations (PAED) to protect the identity of individuals with a Criminal Record. The Board agreed to the system " PAED- (Sequential Application Number)- (Month-year received)".

- a. **1st Application received. The date received was corrected as 12/23/2022** – Identified as **PAED 1-12/2022**. Ms. Monic reported that the Board received a status of this application in executive session, noting that the applicant never completed the Criminal Background Check as requested by the applicant for consideration by the Board.
- b. **2nd Application received 7/6/2023 – Determination Review** – Identified as **PAED 2-7/2023**. The Board reviewed this application in executive session. In consideration of the amount of time that has passed since the conviction, the facts relevant to the circumstances of the offense, including mitigating circumstances and social conditions surrounding the commission of the offense, and the evidence of rehabilitation or treatment undertaken since the conviction, Dr. Sam moved for approval of the application and a determination that the convictions disclosed in PAED 2-7/2023, do not disqualify the applicant from obtaining a license to practice psychology. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

DISCUSSION/ACTION ITEMS:

1. **POLICY DISCUSSION:**
 - a. **Review and discuss potential for early admission by the Board to sit for Oral Examination of Candidates or Provisional Licensees.** – The Board discussed this topic at length. Dr. Moore requested the discussion be added to the Long Range Planning Agenda.
 - b. **Review and discuss issues with Provisional Licensure and candidates not following through with provisional license renewal.** The board discussed this topic. It was determined that a rules review was needed to determine policy to require an individual who allows their provisional license to lapse before licensure, to submit a new application and fee to continue the application.
 - c. **Election Policy Review** – The Board reviewed the Election Policy in consideration of the quarterly meeting schedule. Dr. Sam moved in favor of adopting changes drafted and presented by Ms. Monic. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.
 - d. **Delineation & clarification of roles - board officers & committee chairs vs. board employees' authority, duties & responsibilities.** – Dr. Moore commented that she like the idea of designating

committee chairs to coordinate Committee tasks; Dr. Holcomb commented that he would like to see more responsibilities delegated to the committees. Dr. Harness brought up a committee issue related to the receipt of Licensee Application for Pre-Approval of Continuing Professional Development Offerings or Activities and differing opinions of reviewers and employees. Without disclosing information related to the applicant and personnel issues, discussion of the matter was limited.

Dr. Moore moved to enter Executive Session to discuss issues related to this matter. The Board considered the motion. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

Dr. Moore moved to Executive Session. The Board considered the motion. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

- e. **Attorney: IN-HOUSE Executive Counsel (Prosecuting Attorney) – Consideration of adding policy to allow reimbursement/reimbursement limits on licensing fees and/or continuing legal education.** – The Board discussed the recommended policy. Dr. Sam moved to adopt revisions to the policy related to reimbursement of expenses for its in-house counsel to allow for reimbursement of attorney license fees, and authorization for preapproval by the Executive Director for continuing legal education activities completed by in-house counsel, which are commensurate with, or which are required as a part of attorney job responsibilities. The authority to preapprove such expenses by the Executive Director shall not exceed \$2000 in a calendar year. The Board considered the motion. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.
- f. **Referrals to the District Attorney pursuant to La. R.S. 37:2360 – Referrals to the District Attorney pursuant to La. R.S. 37:2360** – Mr. Wagner explained his interpretation of the statutory provision LA R.S. 37:2360; which establishes that it is a misdemeanor to violate the provisions of Title 37 Chapter 28. He explained the Board’s previous reading of the statute as forbidding disclosure to anyone other than the District Attorney created a situation whereby the disclosure was meaningless due to some D.A.’s office’s requiring a citation from law enforcement accompany the Board’s referral. Mr. Wagner asked that the Board affirm their updated understanding of LA R.S. 37:2360 so that, when the Board directs staff to act under LA R.S. 37:2360, it understands that interim steps and disclosures are required to be made by staff to carry out Board’s intent to seek prosecution by the District Attorney. Dr. Sam moved that the board affirm understanding of the process for turning matters over to the District Attorney. Following an opportunity for discussion, the matter was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.
- g. **Motion by Dr. Sam that LSBEP adopt a policy regarding length of time between various meetings and the receipt of an initial draft of completed minutes by LSBEP staff to ensure that timely recording is given to reduce the disruption of progress and increase follow-up of tasks and assignment.** – The Board discussed this matter and motion by Dr. Sam. Following opportunity for discussion, adopted a policy that staff ensure minutes are drafted within a month of each meeting. The Board considered the motion. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

2. **RULES REVIEW:**

- a. **Chapter 8, Continuing Professional Development:**
 - i. **Related to Section 806 award of credit for academic hours (20 hours) vs. limitation (10 hours).** The Board discussed this matter. Following discussion, Dr. Harness moved in favor of

amending the rules to clarify that the limit for all activities that are not classified as automatically approved are limited to 10 credit hours, even if the formula adopted for calculating the credit may exceed 10 credit hours. The Board considered the motion. The motion passed by unanimous roll call vote of the members present as follows: In favor: (5) Moore, Harness, Sam, Holcomb and Woods-Smith; Against: (0); Abstained: (0); Absent: (1) McNeely.

- ii. **Applications for Licensee CPD Preapproval/Sponsor Activity Approval related to intent, use and definition of preapproval of pre-recorded activities.** The Board discussed the intent of the “preapproval” application to clarify whether preapproval meant a) approval before taking the activity, or b) approval before claiming the activity for credit. Following this discussion, Dr. Sam moved that the Board table the matter for further discussion in October, and in the interim define “Preapproval” as meaning before the activity is taken, requiring the submission and approval of an activity prior a licensee attending the activity. The Board considered the motion. The motion passed by unanimous roll call vote of the members present as follows: In favor: (3) Moore, Sam, Holcomb; Against: (1) Harness; Abstained: (1) Woods-Smith; Absent: (1) McNeely.

The matter of discussing the intent of Section 805.D regarding a frequently asked question of whether Prerecorded workshops or conferences that are sponsored activities would count as automatically acceptable activities was not addressed.

- b. **§3202.B. Composition of the LSSP Advisory Committee – Issues with filling 2nd doctoral level psychologist with a school psychology specialty; request from the LSSP Committee to consider allowing 2 LSSP’s and 1 doctoral level psychologist with a school specialty.**

The Board discussed this matter and the difficulties finding qualified Licensed Psychologists with school specializations to serve on the committee. The Board considered the recommendation from the LSSP Committee to consider allowing 2 LSSP’s and 1 doctoral level psychologist or having a flex seat that would always require 1 LSSP and 1 doctoral level psychologist, with the alternate seat being flexible. Dr. Sam moved in favor of revising the Louisiana Administrative Code to require one Licensed Psychologist and one Licensed Specialist in School Psychology on the committee and to allow the third seat to be flexible to accommodate qualified licensees to serve. The Board considered the motion. The motion passed by unanimous roll call vote of the members present as follows: In favor: (3) Moore, Sam, Holcomb; Against: (1) Harness; Abstained: (1) Woods-Smith; Absent: (1) McNeely.

- c. **Requirements for Reinstating a license to Emerit Status (fees, CPD, other considerations).** The Board discussed this matter. No motion was made, however the discussion clarified that there was no procedure to reinstate to Emerit Status. Further, given the requirement that a licensee must be licensed in the state for 20 years without lapse, the Board agreed it would require an individual reinstate to full licensure.

- d. **Review Rules related to Criminal Background Checks, potential revisions needed based on new procedures.** Ms. Monic explained that the Board’s rules were written to comply with the procedures required by the La State Police (LSP). Since the LSP has contracted with IdentiGo to capture prints across the U.S., the Board agreed to conduct a rules and procedures review and consider any needed changes. Ms. Monic agreed to begin a redlined draft for this section.

- e. **§105. Definition of Candidate for Licensure: Consideration of exemption or revision to number of attempts a candidate is allowed to take the EPPP without passing** - The Board discussed the consideration of a rule change to amend a requirement related to the number of attempts a candidate is allowed to take the EPPP without passing. Currently Louisiana limits its candidates to 3 attempts within 4 years before denying licensure and requiring them to reapply. Ms. Monic stated her understanding that in the past ASPPB Member Board’s had an agreement with ASPPB to limit the number of attempts, but that no longer exists. The Board discussed the lack of data as a basis for the current requirement and requested that Ms. Monic reach out to

ASPPB to request data related to the number of attempts and pass rates for all candidates to for consideration of a rule change.

3. **OPINIONS REVIEW:**

a. **Potential Revision to Opinion No. 002: Clinical/Counseling Experience, for clarification and based on revision to the LAC:46:LXIII. §305. Specialty Areas**

Dr. Moore requested this item be added to the LRP meeting discussion.

4. **CONTRACTS:**

a. **Discuss formal engagements with former board members to conduct oral examinations.** The Board discussed this matter and agreed to give this further consideration. The item will be on the October Agenda. The Board requested staff recommendations for fees and terms.

b. **Covalent Logic Contract – Change Request to Contract Payment Terms**

Dr. Holcomb discussed oversights in the previously approved contract terms for Covalent Logic. He offered the following Motion and Resolution to replace the previously approved resolution:

WHEREAS the LSBEP 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 LSBEP issues licenses to psychologists and specialists in school psychology, facilitates renewals of those licenses, reviews the requirements for continuing education for the renewal of a license, and verifies licenses for insurance credentialing purposes, as well as the public’s use; and

WHEREAS these functions are currently managed through a custom program written to accommodate online renewals, online reporting of continuing education, provide immediate access to verifications, reduce administrative workload, and reduce the opportunity for mismanagement by collecting fees online; and

WHEREAS the Board has conducted due diligence to seek technology upgrades that were affordable, addressed security and stability issues, brought the Board in-line with technological advances to allow the Board to accept and process applications in an electronic format, and address management of complaints brought up in a 2022 Legislative Performance Audit.

*IT THEREFORE RESOLVES by motion of Dr. Holcomb, that the LSBEP accept Covalent Logic’s Proposal for a custom licensing system, including complaints management and online applications, and enter a multi-year contract with Covalent Logic for the design and development of the system for a total amount not to exceed \$170,000 as follows: \$50,000 for Phase I Licensing Management System Cost; \$50,000 for Phase II Supervision; \$7,000 Communications Manager, \$15,000 ADA Compliance, \$3,000 Content Migration, monthly hosting fee, including technical support and training in the amount of \$750/month beginning in the month that the system is live and with the final payment being August 31, 2029, the total amount for hosting not to exceed \$45,000. Further, for the duration of the contract, Covalent will identify, estimate and bill for services that are beyond the scope of the contract, if requested by the Board, at the following hourly rates: **Programming:** \$250/hour, **Consulting:** \$250/hour, **Graphic & Web Design:** \$200/hour, **Copywriting:** \$125/hour, **Project Management:** \$150/hour , **Data Entry:** \$75/hour, **Audio/Video:** \$150/hour, **Research:** \$75/hour, **Web Maintenance:** \$50/hour*

FURTHER THAT, the Board agrees to payment of billable milestones as follows:

Milestone 1: Project Initiation (20 percent of total amount); Milestone 2: Scope Document Approval (20 percent of total amount), Milestone 3: Page Template Completion (20 percent of total amount), Milestone 4: Live Build Completed (20 percent of total amount), Milestone 5: Launch (20 percent of total amount)

FURTHER THAT, the term of the contract to begin August 1, 2023, and end August 31, 2029.

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

Following an opportunity for discussion, the resolution was put to a vote and declared adopted as follows: In favor: (3) Moore, Sam, Holcomb; Against: (1) Harness; Abstained: (1) Woods-Smith; Absent: (1) McNeely. Whereupon the Resolution was declared adopted by the Louisiana State Board of Examiners of Psychologists on the 21st day of July 2023.

c. **Jennifer Longwell, Ph.D., LBA, BCBA – Change Request to Extend the end date of the current contract.**

Ms. Monic discussed the ongoing need for an expert witness in a continuing complaint investigation with the potential to result in a hearing. Ms. Monic requested to continue her delegated authority to contract with experts and other necessary personnel to facilitate board adjudications. Following this discussion, the following Motion and Resolution was offered by Dr. Shavaun Sam who moved for its adoption, and seconded by Dr. Michelle Moore:

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 an Expert Witness to fulfill this function; and

IT THEREFORE RESOLVES by motion of Sam to affirm the authority of Ms. Jaime Monic to employ staff necessary, including Expert Witnesses, Court Reporter, Security, and others as may be necessary to facilitate the provisions of La. R.S. 37:2353(C)(5), and under the authority of La. R.S. 37:2353(C)(2). Further, with regard to Expert Witnesses, the board approves the total amount payable not to exceed \$5,500.00 for the period August 1, 2023 – June 30, 2024, in accordance with the following fee schedule: \$100/hour not to exceed \$2,500.00 for document review and informal communications with the LSBEP attorney; and \$3,000.00 for expert opinion and expert witness testimony, if also required.

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.

Following an opportunity for discussion, the resolution was put to a vote and declared adopted as follows: In favor: (3) Moore, Sam, Holcomb; Against: (1) Harness; Abstained: (1) Woods-Smith; Absent: (1) McNeely. Whereupon the Resolution was declared adopted by the Louisiana State Board of Examiners of Psychologists on the 21st day of July 2023.

d. **Complaint Coordinator II:**

i. **Dr. Mark Vigen Resignation** – Ms. Monic reported that Dr. Vigen announced his retirement and declined to renew his Complaint Coordinator contract with the Board.

ii. **Jennifer L. Russell, Ph.D. Resumé for Complaint Coordinator** – The Board reviewed the resume and letter of interest for a position as Complaint Coordinator.

iii. **Jesse D. Lambert, Psy.D. Status on Interview** – Ms. Monic reminded the Board that Dr. Lambert also submitted his resume and letter of interest. She reported that previously Dr. Greg Gormanous and herself were going to conduct interviews for the contract. Dr. Sam agreed to pick up the task.

5. **2023 Regular Legislative Session-** *Review of the 2023 Regular Legislative Session was tabled due to time.

a. **Bills Impacting Practice/Regulation***

- b. **Bills Impacting Agency***
6. **LEGISLATIVE CONSIDERATIONS – *Legislative considerations were tabled due to time.**
 - a. **Removing the requirement for oral examination to allow for other assessment of skill (e.g., EPPP (Part 2)).***
 - b. **2022 Performance Audit – Louisiana Legislative Auditor’s recommendations:***
 - i. **Criminal Background Checks for License Renewal/reinstatement – to require all currently licensed psychologists to have a criminal background check with the board.**
 - ii. **Impose Civil Monetary Penalties and Fines***
 - c. **PSYPACT – Psychology Compact***
 7. **Master’s Level Licensure (TSam): *This discussion was tabled due to time.**
 - i. **APA Guidelines for the Undergraduate Psychology Major (Aug 2013)***
 - ii. **APA Standards of Accreditation for Health Service Psychology: Master’s Programs (Feb 2021)***
 - iii. **APA Principles for Quality Undergraduate Education in Psychology (Feb 2023)***
 - iv. **APA Master’s Work Group and the CoA webpage***

Dr. Holcomb moved to adjourn at 5:38 p.m. Following an opportunity for discussion, the motion was put to a vote. The motion passed by unanimous roll call vote of the members present as follows: In favor: (4) Gormanous, Harness, Sam and Holcomb; Against: (0); Abstained: (0); Absent: (2) McNeely and Moore

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.