

**AGENDA
BOARD OF PSYCHOLOGY
November 5, 2013 - BOARD ROOM 2**

10:00 a.m.

CALL TO ORDER– Virginia Van de Water, Ed.D-Chair

- Welcome New Board Members
- Ordering of Agenda
- Public Comment
- Approval of August 13, 2013 Minutes

DHP DIRECTOR'S REPORT- Dianne Reynolds-Cane, MD

REGULATORY UPDATE - Elaine Yeatts

- Consideration of one-time fee reduction
- Consideration of CE hours carryover
- CSOTP regulatory review

EXECUTIVE DIRECTOR'S REPORT – Catherine Chappell

DISCIPLINARY CASE UPDATE – Patricia Larimer

BOARD OFFICE UPDATE – Deborah Harris

BOARD COUNSEL UPDATE

COMMITTEE REPORT

- Board of Health Professions –Virginia Van de Water, Ed.D.

NEW BUSINESS

OLD BUSINESS

- Discussion as to whether term “psychological evaluation” is a protected term
- Clarification of the term “ethics” as used in 18VAC125-20-121(A)

CLOSED SESSION

- Consideration of credentials file
- Consideration of consent orders and recommended decision

ADJOURN:

**Virginia Board of Psychology
Board Meeting
Draft
Minutes
August 13, 2013**

- TIME AND PLACE:** The meeting was called to order at 11:10 a.m. on August 13, 2013, in Board Room 1, Suite 201 at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.
- PRESIDING:** Virginia Van de Water, Ed. D., Acting Chair
- MEMBERS PRESENT:** Edward Peck, Ph.D.
William Hathaway, Ph.D.
Thomas Ryan, Ph.D.
Ali Ahmad
Krishna Leyva
- MEMBERS ABSENT:** Giordani de Altin Popilek, Psy.D.
Michael Stutts, Ph.D.
- STAFF PRESENT:** Dianne Reynolds-Cane M.D., Agency Director
Catherine Chappell, Executive Director
Patricia Larimer, Deputy Executive Director - Discipline
Deborah Harris, Operations Manager
- WELCOME AND ORDERING OF AGENDA:** Dr. Van de Water welcomed the Board members and asked if there were any changes to be made to the agenda. The agenda was accepted as presented.
- PUBLIC COMMENT:** Jennifer Morgan, Psy.D., Regulatory Affairs Chair, VPA/VACP thanked board members and staff who participated in the *Conversation Hour with the Board of Psychology* in April. The fall conference would be held in McLean and the Spring conference with another opportunity for a Conversation Hour would be held in Norfolk.
- APPROVAL OF MINUTES:** Dr. Ryan moved to approve the May 2013 Board Meeting minutes as written. The motion was seconded by Ms. Leyva and carried.
- DIRECTOR'S REPORT:** Dr. Reynolds-Cane greeted board members, and updated the Board on various activities of the Department of Health Professions (DHP), including the National Governor Association Initiative to reduce prescription drug abuse. The initiative included four sub-groups: DHP's Prescription Monitoring Program, law enforcement, drug dispensing authorities, and education/training for the providers and public.

**EXECUTIVE
DIRECTOR'S
REPORT:**

Ms. Chappell thanked the board members for attending the meeting and stated that there were 6 out of 9 members in attendance, which established a quorum. She announced that board counsel and DHP's senior policy analyst were unable to be at the meeting. Any regulatory matters would have to be deferred until the November meeting.

Ms. Chappell also stated that the Board was awaiting news from the Governor's office on board appointments. Dr. Stutts and Ms. Levya would continue to serve until replacements were identified. However, Dr. Clark's seat, which had expired in 2012, was now vacant because he had retired his license. Ms. Chappell commented that since there was not a full board seated at that time, that discussion of old business relating to an ethics definition, eligibility to perform psychological evaluations, and the one-time fee reduction would be continued until the November meeting.

Ms. Chappell distributed the Board's most recent financial report which showed the Board was able to sustain itself. She also mentioned that she had been invited to participate in a Virginia Certified Sex Offender Treatment Provider (CSOTP) Association workshop next March. She asked if any board members would be interested in serving on a panel with her at the conference. She expressed concern that there was no current representation by a CSOTP on the Board and Dr. Peck offered to help with the presentation in 2014.

Ms. Chappell also referenced the need for leadership transition and stated that elections would be held later in the meeting.

REPORTS:

Disciplinary Update: Patricia Larimer

Ms. Larimer reported that there were 39 open disciplinary cases which included 13 cases against licensees under investigation and two unlicensed practice cases; six cases were at Board level to be reviewed for probable cause; two cases had been offered a Confidential Consent Agreement and a pre-hearing consent order had been offered in one case; five cases were scheduled for informal conferences and one formal hearing would be heard later in the day; six cases were with the Administrative Proceedings Division to draft notices for informal conferences, with one case to receive a Confidential Consent Agreement. One Consent Order would be considered later in the meeting. Staff continued to follow three licensees for compliance with Board Orders, two of which had recently petitioned to have their probation terminated. Disciplinary informal conferences were scheduled for September 27, 2013

and November 5, 2013. She offered eight standing dates for 2014, as needed, for Disciplinary proceedings. She reminded the Board that the Agency's standard was to resolve disciplinary cases within 250 days, and staff was actively working to meet this goal for all disciplinary cases. She acknowledged board member support of this mission critical function of the Board of Psychology.

Continuing Education Update: Ms. Chappell

Ms. Chappell stated that Continuing Education audit letters were scheduled to be mailed out in October for the 2013 renewal period.

Legislative Update: Ms. Chappell

Ms. Chappell distributed a handout from Ms. Yeatts which showed two pending regulatory reform changes. She commented that both actions had been fast-tracked, with one action anticipated to become effective in September 2013.

Board Office Update: Deborah Harris

Ms. Harris reported that since the last meeting, the Board had received 98 applications, and had issued 44 clinical psychology licenses, 2 school psychologist limited licenses and 2 sex offender treatment provider certifications.

As a result of the most recent renewal period, the Board regulated 4,368 licensees, which were 79 more active licenses than from the same time last year.

She announced board meeting dates for 2014:

February 11, 2014

May 6, 2014

August 5, 2014

November 4, 2014

New Business:

Election of Officers

Dr. Virginia Van de Water was nominated for Board Chair by Dr. Peck and seconded by Ali Ahmad, and approved by unanimous vote.

Dr. Edward Peck was nominated for Vice-Chair by Dr. Van de Water and seconded by Krishna Leyva, and approved by unanimous vote.

Old Business: None

Closed Session: *Consideration of Credentials Files.* The Board convened in closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia in order to consider credentials files. Ms. Chappell, Ms. Larimer, and Ms. Harris participated in the closed meeting because their presence in the closed meeting was deemed necessary and they would aid the Board in its consideration of the matter. The motion was seconded and carried.

The Board moved that pursuant to §2.2-3712 of the Code of Virginia, that the Board heard, discussed, or considered only those public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act and only such public business matters as identified in the original motion. The Board agreed unanimously.

Decision. The Board considered three licensure applications: one application was approved; one was denied because the applicant did not meet the requirements of 18VAC125-20-43; and one was deferred pending additional information.

Consideration of Disciplinary Order. The Board further convened in closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia in order to consider a consent order. Ms. Chappell, Ms. Larimer, and Ms. Harris participated in the closed meeting because their presence in the closed meeting was deemed necessary and they would aid the Board in its consideration of the matter. The motion was seconded and carried.

The Board moved that pursuant to §2.2-3712 of the Code of Virginia, that the Board heard, discussed, or considered only those public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act and only such public business matters as identified in the original motion. The Board agreed unanimously.

Decision. The Board considered a consent order for voluntary surrender for indefinite suspension of Richard Wettstone's certificate to practice as a sexual offender treatment provider in the Commonwealth of Virginia. The Board accepted the consent order as presented.

ADJOURN: The meeting adjourned at 12:45 p.m.

Virginia Van de Water, Chair

Catherine Chappell, Executive Director

Project 3895 – Final exempt

BOARD OF PSYCHOLOGY

Fee reduction

18VAC125-20-30. Fees required by the board.

A. The board has established fees for the following:

	Applied psychologists, Clinical psychologists, School psychologists	School psychologists-limited
1. Registration of residency (per residency request)	\$50	--
2. Add or change supervisor	\$25	--
3. Application processing and initial licensure	\$200	\$85
4. Annual renewal of active license	\$140	\$70
5. Annual renewal of inactive license	\$70	\$35
6. Late renewal	\$50	\$25
7. Verification of license to another jurisdiction	\$25	\$25
8. Duplicate license	\$5	\$5
9. Additional or replacement wall certificate	\$15	\$15
10. Returned check	\$35	\$35
11. Reinstatement of a lapsed license	\$270	\$125
12. Reinstatement following revocation or suspension	\$500	\$500

B. Fees shall be made payable to the Treasurer of Virginia and forwarded to the board. All fees are nonrefundable.

C. Between April 30, 2014 and June 30, 2014, the following renewal fees shall be in effect:

1. For an active license as a clinical, applied or school psychologist, it shall be \$95. For an inactive license as a clinical, applied or school psychologist, it shall be \$45.

2. For an active license as a school psychologist-limited, it shall be \$45. For an inactive license as a school psychologist-limited, it shall be \$23.

18VAC125-30-20. Fees required by the board.

A. The board has established the following fees applicable to the certification of sex offender treatment providers:

Registration of supervision	\$50
Add or change supervisor	\$25
Application processing and initial certification fee	\$90
Certification renewal	\$75
Duplicate certificate	\$5
Late renewal	\$25
Reinstatement of an expired certificate	\$125
Replacement of or additional wall certificate	\$15
Returned check	\$35
Reinstatement following revocation or suspension	\$500
One-time reduction in fee for renewal on June 30, 2010 <u>2014</u>	\$37 <u>\$52</u>

B. Fees shall be paid by check or money order made payable to the Treasurer of Virginia and forwarded to the Board of Psychology. All fees are nonrefundable.

DHP
 Psychology Draft One-time Renewal Fee Decrease
 Effective FY14

	Count (10.9.13)	Renewal Revenue with Fee Decrease	One Time Fee Reduction	Existing Fees	Amount of Decrease	Percentage Decrease
Applied Psychologist						
Current Active	30	2,850	95.00	140	45	32%
Current Inactive	4	180	45.00	70	25	36%
Clinical Psychologist						
Current Active	2,728	259,160	95.00	140	45	32%
Current Inactive	135	6,075	45.00	70	25	36%
School Psychologist						
Current Active	90	8,550	95.00	140	45	32%
Current Inactive	7	315	45.00	70	25	36%
School Psychologist-Limited						
Current Active	313	14,085	45.00	70	25	36%
Current Inactive	1	23	23.00	35	12	34%
Sex Offender Treatment Provider						
Current Active	400	21,000	52.50	75	23	30%
Total	<u>3,708</u>	<u>312,238</u>				

460,885

Total Renewal Revenue with no fee reduction

Law and Regulations Governing Continuing Education

18VAC125-20-121. Continuing education course requirements for renewal of an active license.

A. Licensees shall be required to have completed a minimum of 14 hours of board-approved continuing education courses each year for annual licensure renewal. A minimum of 1.5 of these hours shall be in courses that emphasize the ethics, standards of practice or laws governing the profession of psychology.

B. For the purpose of this section, "course" means an organized program of study, classroom experience or similar educational experience that is directly related to the practice of psychology and is provided by a board-approved provider that meets the criteria specified in 18VAC125-20-122.

1. At least six of the required hours shall be earned in face-to-face or real-time interactive educational experiences. Real-time interactive shall include a course in which the learner has the opportunity to interact with the presenter and participants during the time of the presentation.

2. The board may approve up to four hours per renewal cycle for specific educational experiences to include:

a. Preparation for or presentation of a continuing education program, seminar, workshop or course offered by an approved provider and directly related to the practice of psychology. Hours may only be credited one time, regardless of the number of times the presentation is given, and may not be credited toward the face-to-face requirement.

b. Publication of an article or book in a recognized publication directly related to the practice of psychology. Hours may only be credited one time, regardless of the number of times the writing is published, and may not be credited toward the face-to-face requirement.

C. Courses must be directly related to the scope of practice in the category of licensure held. Continuing education courses for clinical psychologists shall emphasize, but not be limited to, the diagnosis, treatment and care of patients with moderate and severe mental disorders.

D. The board may grant an extension for good cause of up to one year for the completion of continuing education requirements upon written request from the licensee prior to the renewal date. Such extension shall not relieve the licensee of the continuing education requirement.

E. The board may grant an exemption for all or part of the continuing education requirements for one renewal cycle due to circumstances determined by the board to be beyond the control of the licensee.

18VAC125-20-122. Continuing education providers.

A. The following organizations, associations or institutions are approved by the board to provide continuing education:

1. Any psychological association recognized by the profession or providers approved by such an association.
2. Any association or organization of mental health, health or psychoeducational providers recognized by the profession or providers approved by such an association or organization.
3. Any association or organization providing courses related to forensic psychology recognized by the profession or providers approved by such an association or organization.
4. Any regionally accredited institution of higher learning. A maximum of 14 hours will be accepted for each academic course directly related to the practice of psychology.
5. Any governmental agency or facility that offers mental health, health or psychoeducational services.
6. Any licensed hospital or facility that offers mental health, health or psychoeducational services.
7. Any association or organization that has been approved as a continuing competency provider by a psychology board in another state or jurisdiction.

B. Continuing education providers approved under subsection A of this section shall:

1. Maintain documentation of the course titles and objectives and of licensee attendance and completion of courses for a period of four years.
2. Monitor attendance at classroom or similar face-to-face educational experiences.
3. Provide a certificate of completion for licensees who successfully complete a course.

18VAC125-20-123. Documenting compliance with continuing education requirements.

A. All licensees in active status are required to maintain original documentation for a period of four years.

B. After the end of each renewal period, the board may conduct a random audit of licensees to verify compliance with the requirement for that renewal period.

C. Upon request, a licensee shall provide documentation as follows:

1. Official transcripts showing credit hours earned from an accredited institution; or
2. Certificates of completion from approved providers.

D. Compliance with continuing education requirements, including the maintenance of records and the relevance of the courses to the category of licensure, is the responsibility of the licensee. The board may request additional information if such compliance is not clear from the transcripts or certificates.

E. Continuing education hours required by disciplinary order shall not be used to satisfy renewal requirements.