

**Virginia Board of Psychology  
Quarterly Board Meeting**

**May 19, 2015**

Call to Order

Virginia Van de Water Ed. D., Chair, called the meeting to order at 10:12 a.m. on May 19, 2015, Board Room 1, at the Department of Health Professions (DHP) at 9960 Mayland Drive, Richmond, Virginia. She read aloud the DHP mission statement to emphasize the board's responsibility in rendering its decisions that day.

Ordering of Agenda

Attendance

Board Members Present

Virginia Van de Water, Ed.D. Chairperson  
Giordana de Altin Popiolek, Psy.D.  
Thomas Ryan, Ph.D.  
Herbert Stewart, Ph.D.  
James Werth, Ph.D. ABPP  
Barbara Peery, Ph.D., Citizen Member

Board Members Absent:

Ali Ahmad, Citizen Member  
Bill Hathaway, Ph.D.  
Russell Leonard, Ph.D.

Staff Present:

Jaime Hoyle, Acting Executive Director  
Jim Rutkowski, Asst. Atty. General, Board Counsel  
Elaine Yeatts, DHP Senior Policy Analyst  
Jennifer Lang, Deputy Executive Director  
Deborah Harris, Licensing Manager

Approval of Minutes

The minutes of the February 3, 2015 minutes were approved as written.

### Public Comment

Jennifer Morgan, Psy.D, VPA/VACP liaison, updated the Board about the Clinical Psychology (VACP) Conversation Hour from the Spring meeting in April 2015. She stated that the Conversation Hour was a success and was pleased that the two board members could attend. She also indicated that she was looking forward to the continuing education carryover bill to be submitted into future regulations.

### Director's Report

Jaime Hoyle presented reports for Dr. Brown as he was out of the agency. She touched on Dr. Brown's decision to have the Citizen Advocacy Committee (CAC) conduct an audit of the HPMP. The CAC audits the performance and efficiencies of HPMP programs. The final report will come out the end of May and Dr. Brown will discuss with the Board execs any issues, improvements or changes that need to occur to help the program operate more efficiently.

### Executive Director's Report

Jaime Hoyle, Acting Executive Director introduced herself to the Board members and thanked the board members for their attendance at the meeting and discussed her background. She stated that coming into the Behavioral Science Acting Executive Director position has been helpful in the aspect that Executive staff gets the sense of how the department works, what licensees need and what the Boards are facing on a daily basis. She indicated she has been busier than she anticipated coming into this but does give a lot of credit to the Board staff for all they do. She anticipates the position for Executive Director will be advertised possibly late summer.

### Legislative & Regulatory Update

Elaine Yeatts, Sr. Policy Analyst reported that the Continuing Education Carryover bill will be effective July 1<sup>st</sup>. Seven continuing education units can be carried over from 2016 and can be used towards renewal in June 2017 at the earliest. Two hours of continuing education credits will be given to active board members. Also, there will be a new continuing education process for the CPQ endorsement status. These items will be added into the new regulations. There is also a change in upcoming regulations regarding a renewal fee decrease due to a surplus of the Board of Psychology budget. This is an exempt action that requires no voting Board member vote.

### New Business

### *Petition for Rulemaking*

Elaine Yeatts asked to move the Petition for Rule Making up in the Agenda. The Petition was filed by a Gentry Nalley regarding a recantation of a child's testimony regarding alleged abuse in a case. Board discussion followed and after a careful review of the petition There was a motion to reject the petition due to the fact the board states the current regulations are adequate and sufficient with evidence that can be gathered through an investigation of a complaint. The motion was seconded and carried.

### *Disciplinary Report*

Jennifer Lang reported that the Board has 17 cases in the investigation stage with the enforcement division, and 49 were at board level awaiting probable cause review. There were 8 compliance cases monitored by Ms. Harris.

### **Board Office Update**

Deborah Harris reported information on licensing activity, noting that the Board regulated the following licensees and certificate holders since our February 3, 2015 meeting:

- Applied Psychologist 1
- Clinical Psychologist 67
- School Psychologist 1
- School Psychologist Ltd. 14
- CSOTP 3

### **Board Counsel Report**

Mr. Rutkowski gave an update on the taskforce at the Attorney General's office, related to unlicensed practice. He stated that additional guidance is forthcoming, following the taskforce's research and recommendations.

### **Committee Reports**

*Board of Health Professions.* Dr. Van de Water spoke about Board of Health Professions. She stated that the workforce survey shows the lack of availability of the various healthcare workforce in rural areas in our state, particularly dentists. The Board held an open forum for both sides showing how important dentistry is for overall health.

*Regulatory Report.* Dr. Herb Stewart discussed the topics of the ASPPB conference in Atlanta, including a proposed model for an interstate compact. He stated the first nine

states will write the rules for the model.

*VACP Conversation Hour*-James Werth, Ph.D. - Dr. Werth gave an update regarding the Conversation hour in Virginia Beach last month. He stated they covered topics such as technology, SOTP scope of practice, licenses regulated through the Board of Education, psychological testing vs. assessments, ethics issues, and the complaint process.

### **New Business**

*Record Retention of Deceased Practitioner Records* – Ms. Harris stated that she often receives requests for advice on practice issues that are not specifically addressed in the regulations, and may need future guidance from the board in these areas. The Board discussed record retention requirements of deceased practitioners and the possible need for a professional will. By a motion and a unanimous vote this issue is being deferred to the Regulatory Committee.

*S-EPPP score* – Ms. Harris requested the Board's feedback on accepting the Spanish EPPP (S-EPPP) score approval in Virginia. This was discussed and by a motion and a unanimous vote was also deferred to the Regulatory Committee.

### **Closed Session**

Herb Stewart moved that the Board of Psychology convene in closed session pursuant to §2.2-3711(A)(27) and 2.2-3711(A)(7) of the Code of Virginia in order to consider a modification of a board order and consider requests to waive supervision requirements for certain applicants. He further moved that Jaime Hoyle, Jennifer Lang, James Rutkowski, and Deborah Harris attend the closed meeting because their presence in the meeting was deemed necessary and would aid the Board in its consideration of the matters. The motion was seconded and carried.

### **Reconvene**

Herb Stewart moved that pursuant to §2.2-3712 of the Code of Virginia that the Board of Psychology heard, discussed, or considered only those public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as identified in the original motion. The motion was seconded and carried with a unanimous vote.

### **Decisions**

*Wesley Shelley, School Psychologist Applicant*

Upon a motion by Dr. Stewart and duly seconded by Dr. Werth, the Board denied Dr. Shelley's request to register a clinical psychologist as a supervisor, on the basis of a hardship waiver. The motion carried unanimously.

*Hope Bagley, Clinical Psychologist*

Upon a motion by Dr. Stewart and duly seconded by Dr. Werth, the Board unanimously voted to defer Dr. Bagley's request, for modification of a prior board order, to an informal conference before a Special Conference Committee of the Board.

**Adjournment**

The Board meeting was adjourned at 1:45 p.m.

*The minutes were approved*  
Virginia Van de Water, Chair

*during the August 25, 2015  
Board meeting, as written.*

*Jaime H Hoyle*

*Jaime H Hoyle*  
Jaime Hoyle, Acting Executive Director