



**Virginia Board of Psychology
Board Meeting Minutes
Tuesday, September 19, 2023 at 10:00 a.m.
9960 Mayland Drive, Henrico, VA 23233
Board Room 1**

PRESIDING OFFICER: J.D. Ball. Ph.D.

BOARD MEMBERS PRESENT: Aliya Chapman, Ph.D.
William Hathaway, Ph.D.
Norma Murdock-Kitt, Ph.D
Gary Sibcy, Ph.D.
Cheryl Snyder, Citizen Member
Kathryn Zeanah, Ph. D.

BOARD MEMBERS ABSENT: Susan Brown Wallace, Ph.D.
Christine Payne, BSN, MBA, Citizen Member

BOARD STAFF PRESENT: Jaime Hoyle, JD, Executive Director
Jennifer Lang, Deputy Executive Director
Charlotte Lenart, Deputy Executive Director

DHP STAFF PRESENT: Erin Barrett, JD, Director of Legislative and Regulatory Affairs, Department of Health Professions
James Jenkins, RN, Agency Deputy Director, Special Advisor to the Governor on Workforce
Matt Novak, Policy & Economic Analyst, Department of Health Professions
Arne Owens, Agency Director, Department of Health Professions

BOARD COUNSEL PRESENT: James Rutkowski, Assistant Attorney General

CALL TO ORDER: Dr. Ball called the meeting to order at 10:08 a.m.

MISSION STATEMENT: Dr Ball read the mission statement of the Department of Health Professions and the emergency egress procedures.

ESTABLISHMENT OF A QUORUM: With seven (7) members present, a quorum was established.

ADOPTION OF AGENDA: The agenda was adopted as presented.

PUBLIC ATTENDEES: Natalia Gomez Givliani, graduate student
Catherine Horne, member of the public
Cristian Rivera Nales, graduate student
Alisandra Macias, graduate student

PUBLIC COMMENT: None

APPROVAL OF MINUTES: The minutes from the May 23, 2023, Quarterly Board meeting were adopted as presented.

AGENCY DIRECTOR REPORT:

Mr. Owens provided the following information:

- DHP will be looking at the business processes to ensure that DHP is operating as efficiently as possible.
- Healthcare workforce remains a priority for the Governor and reports from the RAND study are expected by October 2023. The Claude Moore Institute is completing a parallel study.
- Mr. Jenkins and Ms. Hoyle are co-leaders for workstream five of the Governor's Behavioral Health Transformation "Right Help, Right Now" initiative.
- DHP has prepared a concept paper for discussion focusing on three key areas: master's level psychologist license, Qualified Mental Health Professionals (QMHPs), and school psychologists.

PRESENTATION:

Barbara Hodgdon, Ph.D., Deputy Director, Healthcare Workforce Data Center and Data Analytics Division presented the Clinical Psychology Workforce 2023 Survey Findings.

The Board asked questions and made suggestions for additional questions to be added during renewal.

The Board will discuss and produce one to two questions to be added to the renewal questionnaire. A question related to PSYPACT will possibly be added, asking respondents to indicate what states they practice into from Virginia.

The Healthcare Workforce will take the suggestions from the Board and analyze the current data to allow for more information on which types of payments psychologists currently receive, particularly whether they see patients who pay exclusively by self pay.

Dr. Ball asked Dr. Hodgdon and Dr. Shobo about the possibility of presenting at the Virginia Academy of Clinical Psychologist (VACP) Board Conversation Hour.

BOARD CHAIR REPORT: No report.

LEGISLATIVE AND REGULATORY REPORT:

Chart of Regulatory Actions

Ms. Barrett reviewed with the Board the current regulatory actions for the Board of Psychology as of September 7, 2023. A copy of the chart was included in the agenda packet.

Adoption of Revised Policy on Meetings Held with Electronic Participation Based on Statutory Change

Ms. Barrett reviewed and discussed the proposed revised electronic participation

policy with the Board.

Motion: Dr. Hathaway made a motion, which Dr. Sibcy II properly seconded, to revise the policy on meetings held with electronic participation as presented. The motion passed unanimously.

Consideration of Petition for Rulemaking regarding acceptance of retired licensees in good standing for licensure by endorsement

Ms. Barrett provided an overview of the petition and public comment received. The Board agreed to review and amend 18VAC125-20-42 to include evidence of a retired license to support licensure by endorsement, and to reduce licensure by endorsement requirements in other parts of the regulations.

Motion: Dr. Ball made a motion, which Dr. Chapman properly seconded, to accept the petition and initiate rulemaking. The motion passed unanimously.

Motion: Dr. Zeanah made a motion, which Dr. Chapman properly seconded, to initiate a Notice of Intended Regulatory Action (NOIRA) to amend the endorsement requirement in 18VAC125-20-42 to reduce requirements. The motion passed unanimously.

Initiation of Periodic Review of Public Participation Guidelines Contained in 18VAC125-11

Ms. Barrett reviewed the Public Participation Guidelines with the Board and indicated the agency is required to conduct a periodic review of regulatory chapters every four years. Even though there have been no changes to the chapter, the Board is still required to conduct a periodic review.

Motion: Dr. Chapman made a motion, which Ms. Snyder properly seconded, to initiate periodic review of the Public Participation Guidelines set forth in 18VAC125-11. The motion passed unanimously.

STAFF REPORTS:

Executive Director's Report:

Ms. Hoyle informed the Board that Deborah Harris retired September 1, 2023, and publicly acknowledged her valuable contributions to the Board and her years of service. Ms. Hoyle also thanked Ms. Lang and Ms. Lenart for their continued hard work and contributions to the Board. Ms. Lenart has been covering all the Board responsibilities in Ms. Harris's absence as we recruit for that position. Dr. Ball commended and thanked all Board staff.

Ms. Hoyle reported that the next PSYPACT meeting will be held remotely in November. She is a member of many of the PSYPACT committees and the ASPPB model act and regulations committee which meet regularly. The ASPPB conference will be held in late October and Dr. Hathaway and Dr. Chapman will be attending and representing the Board.

The Right Help, Right Now initiative is very interested in the master's level psychology license as one answer to the behavioral health workforce shortage.

Discipline Report:

Ms. Lang advised the board that a formal hearing will be scheduled for December 5, 2023, following the quarterly board meeting, and asked board members to notify her as soon as possible if they cannot attend the hearing.

Ms. Lang discussed the discipline report in the agenda packet, focusing on the new information included that provides a snapshot of the following regarding the discipline staff and processes:

- Two full-time discipline staff members are shared by three boards; the Boards of Psychology, Counseling, and Social Work. A part-time discipline reviewer is dedicated to the Board of Psychology.
- Staff duties include reviewing and processing disciplinary matters and credential appeal cases, attending hearings, managing compliance cases for individuals under terms of a board Order, and completing the continuing education audits for the three boards.
- From January 1 - August 31, 2023, discipline staff has received 468 completed investigations, with an additional 213 cases currently being investigated.
- From May - August of 2023, staff attended 10 discipline hearings and six board meetings.

Licensing Report:

Ms. Lenart provided information on the current licenses, registration and certifications regulated by the Board.

Ms. Lenart informed the Board that Ms. Harris retired from the Board of Psychology after more than ten years of service. She thanked Ms. Harris for her contributions. Ms. Lenart is actively recruiting to replace Ms. Harris and should have someone in place by the end of the month.

Ms. Lenart announced that all applications and forms have been updated and applicants can now apply online and upload their supporting documentation during the online application process. Licenses issued by the Board now have QR codes which link clients directly to the license lookup section of the website.

COMMITTEE REPORTS:

Regulatory Committee Report:

Dr. Ball reported on the Regulatory Committee's discussions and action.

Examination for Professional Practice in Psychology (EPPP):

The Regulatory Committee previously made a recommendation to the board to begin requiring part II of the EPPP, in addition to the current part required for licensure. The recommendation from the Regulatory Committee was passed unanimously by the Board. Board staff will need to research to see if part I could be taken during the doctorate program and part II taken post-internship when applying for licensure. The Board will need to decide when to require part II, prior to or on January 1, 2026 as required by ASPPB.

Dr. Chapman discussed the need to support applicants or students who recently failed the examination. Dr. Ball suggested that the Board ask VACP for help in supporting applicants with training and test preparation.

This issue will continue to be on the Regulatory Committee agenda.

The Board discussed if there is a need for a waiting period before applicants can re-take the examination. The Board did not feel that there was a need to delay the approval to retest. ASPPB allows for applicants to take the examinations up to four times per year.

Master's Level Psychology Licenses

Dr. Ball updated the board on the Regulatory Committee's discussion on possible title, training, supervision, and scope of practice if legislation is passed to implement a master's level psychology license. The Association of State and Provincial Psychology Boards (ASPPB) is currently working on suggested titles and scope of practice and may have suggestions available later this year. The board noted their support in using the title "Psychological Practitioners" and now believe that ongoing supervision should not be required for this level of practice.

Mr. Owens indicated that the master's level licensure is very important and noted that he would be very interested in ideas about enabling legislation.

Motion: Dr. Sibcy moved, which was properly seconded by Dr. Hathaway, for the Board to endorse a masters level psychology licensure in principle and ask the Regulatory Committee to provide broad brush guidelines for such a license. The Board voted 6 in favor with one abstention.

Dr. Ball suggested that the Regulatory Committee meet for this purpose prior to the December meeting.

Prescriptive Authority

The Regulatory Committee discussed interest in this topic but noted that the board does not have legislative authority at this time.

ELECTIONS:

Motion: Ms. Murdock-Kitt made a motion, which Dr. Chapman properly seconded, to nominate Dr. Ball as chair. The motion passed unanimously.

Motion: Dr. Ball made a motion, which Dr. Murdock-Kitt properly seconded, to nominate Dr. Chapman as vice-chair. The motion passed unanimously.

NEW BUSINESS:

Implementation of criminal background checks for applicants.

Ms. Hoyle discussed the need to amend the regulations to require a criminal background check so that the Board is in compliance with PSYPACT.

Motion: Dr. Chapman made a motion, which Ms. Snyder properly seconded, to initiate a Notice of Intended Regulatory Action (NOIRA) to add the criminal background check requirements to ensure PSYPACT compliance. The motion passed unanimously.

NEXT MEETING DATE: The next full Board meeting is scheduled for December 5, 2023.

ADJOURNMENT: Dr. Ball adjourned the meeting at 12:48 p.m.

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J.D. Ball

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J.D. Ball, Ph.D., Chair Chairperson

12/11/2023

Date

DocuSigned by:

Jaime Hoyle

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Jaime Hoyle, JD, Executive Director

12/12/2023

Date