

Draft
**Virginia Board of Psychology
Regulatory Meeting
Minutes
March 14, 2010**

TIME AND PLACE: The meeting was called to order at 11:30 a.m., March 14, 2011, in Board Room 1 of the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

PRESIDING: Michael L. Stutts, Ph.D., Chair

**MEMBERS
PRESENT:** Robert Falk, Ph.D.
Desideria Hacker, Ph.D.
Herbert L. Stewart, Ph.D.
Sonia Price, Esq.

MEMBER ABSENT: Jeffrey Clark, Ph.D.

STAFF PRESENT: Evelyn Brown, Executive Director
Elaine Yeatts, Senior Policy Analyst, DHP
Patricia Larimer, Deputy Executive Director, Discipline
Catherine Chappell, Deputy Executive Director, Licensing
Deborah Harris, Administrative Assistant

**ORDERING OF
AGENDA:** The agenda was revised to include the following two items assigned to the Committee by the Board for further consideration and/or action:

- Correspondence from Mary Alice Fisher
- Petition for Rule Making- Maria Stransky, CSOTP

Additionally, Ms. Yeatts requested that the Committee consider a request from Attorney General Cuccinelli regarding implementation of regulatory changes to require disciplinary action against licensees who fail to report child abuse and exploitation.

PUBLIC COMMENT: None

**APPROVAL OF
MINUTES:** Dr. Stewart moved to approve the September 18, 2009 Regulatory Meeting minutes as written. The motion was seconded and carried.

DISCUSSION: **18VAC125-20-80. Residency requirements for candidates who fail one or more examinations.**

The Committee agreed that clarification was needed with respect to the status of "residents" who have failed the EPPP twice and must wait at least one year between the second failure and the next reexamination. The Committee discussed whether

such applicants must remain under supervision as required for Regulation 18VAC125-20-65(B), or work in positions where supervision is not required. The Committee concurred that additional research was needed and requested staff to contact other state psychology boards for further information. The Committee specifically requested input in the following areas:

- Is there a limit on the number of attempts to pass the EPPP?
- If so, must psychology “residents” reapply for licensure, or, are they ineligible to reapply?
- Is there a waiting period before the “resident” who has failed the EPPP can re-take the exam?
- Are there remediation requirements before the “resident” can retake the EPPP?
- Is supervision required for “residents” who fail the exam?
- Is there a working title for the “resident” who has failed the EPPP, but has met all other licensure requirements?
- Is there a restriction on the scope of work for a “resident” who has not passed the EPPP?

The Committee requested that staff report their findings at the next Regulatory Committee meeting.

Correspondence from Mary Alice Fisher

The letter from Mary Alice Fisher letter expressing her concerns regarding 18VAC125-20-150.B.9 “Standards of Practice” with respect to confidential client records was tabled by a motion of Dr. Hacker in order for the correspondence to be reviewed by Board counsel. The motion was seconded and carried.

Petition for Rule Making

The Committee considered the Petition for Rule Making submitted by Maria Stransky regarding insufficient numbers of supervisors able to provide supervision for individuals seeking Certification as a Sex Offender Treatment Provider (SOTP). Dr. Hacker moved that the Committee deny the petition because the Committee believed that the Department of Corrections has sufficient SOTP’s eligible to provide supervision. Ms. Stransky would be advised in writing that she could submit additional information documenting the lack of available supervisors and the additional information, if received, would be considered at a future meeting.

The Committee referenced Ms. Stransky’s proposed use of “videoconferencing” to provide supervision in “extenuating

circumstances". The Committee agreed that the current SOTP regulations do not include language to allow the Board to grant a waiver of the face-to-face supervision requirements due to hardship or disability. As included in the *Regulations Governing the Practice of Psychology*, Dr. Hacker moved that the Committee revise the SOTP regulations to provide for case to case decision on hardship requests for alternative supervision. The motion was seconded and carried.

Dr. Stewart requested that the use of tele-supervision be placed on the agenda for the next Regulatory Committee meeting. He suggested that information from the APA in this regard be obtained.

Mandated Reporting

Ms. Yeatts asked the Committee to consider a request from the Attorney General that the Board's regulations be amended to impose disciplinary action on licensees who fail to report child abuse and exploitation. She commented that she believed that this request included mandated reporting for adult abuse and exploitation as well.

The Committee agreed that Regulation 18VAC125-20-160(8) addressed this concern but sought advice from counsel before any further action could be taken.

OLD BUSINESS: None

NEW BUSINESS: None

ADJOURN: The meeting adjourned at 1:00 p.m.

Michael Stutts, Ph.D., Chair

Evelyn B. Brown, Executive Director