

MINUTES OF THE MEETING OF THE BOARD January 18, 2019

A Meeting of the Board of Examiners of Psychologists was held at 9:00 a.m., on Friday, January 18, 2019, at the Colcord Center, 421 NW 13th Street, Suite 125, Oklahoma City, OK 73103.

In attendance were: S. Roberson, Ph.D., Chair of the Board; Susan Howard, Ph.D., Vice-Chair of the Board; K. Ward, Ph.D., Member of the Board; T. O'Connor, Member of the Board; C. Grundy, Ph.D., Member of the Board; B. Frizzell, Member of the Board; J. Shirley, Assistant Attorney General; S. Balzer, Assistant Attorney General Special Advisor; T. Rose, Executive Officer of the Board.

Members not present: M. Basso, Ph.D., Member of the Board.

Announcement and Introduction:

Dr. Roberson announced that a quorum was present to conduct business. He confirmed with Ms. Rose that the meeting was filed with the Secretary of State and the agenda was posted in accordance with the Open Meeting Act.

Statement of the Mission of the Oklahoma State Board of Examiners of Psychologists:

Dr. Roberson announced the mission of the Oklahoma State Board of Examiners of Psychologists is to protect the public by regulating the practice of psychology in Oklahoma to ensure that only properly qualified psychologists practice psychology in the state and that the psychology profession as a whole is conducted in the public's best interest.

The Board went out of order when working its way through the agenda.

Probable Cause Committee Summaries and Recommendations:

As a member of the Probable Cause Committee, Dr. Ward recused and left the room.

Dr. Roberson recused and left the room.

Dr. Howard presided as Chair.

RFI 17-10;

Mr. Shirley informed members that at its meeting on Friday, May 11, 2018, the Board voted to accept the recommendation of the Probable Cause Committee (PCC) concerning RFI 17-10. The recommendation of the committee was to postpone the decision of whether or not to file a complaint and give the psychologist an opportunity to voluntarily undergo a neuropsychological evaluation and discuss those results with the PCC. The psychologist declined the opportunity but provided additional evidence not previously considered by the

committee. The PCC met again. The additional evidence alleviated the concerns of the committee leading to the opinion that an evaluation might be helpful and also provided further explanation that further developed the facts of the case. After consideration of the new evidence, and the original evidence, the committee still believes there is probable cause of potential ethical violations of the APA Ethical Principles of Psychologists and Code of Conduct: 6.01 (Documentation of Professional and Scientific Work and Maintenance of Records). The new recommendation of the committee is to postpone the decision of whether or not to file a complaint and give the psychologist the voluntary opportunity to complete three (3) hours of continuing education related to APA Ethical Code 6.01. These hours would be in addition to the regularly required hours of all psychologists. After providing proof of completion of these hours, the committee will make a new recommendation on the disposition of RFI 17-10.

Mr. O'Connor made a motion to accept the recommendation. Mr. Frizzell seconded the motion and the motion passed. O'Connor, Grundy, Frizzell, and Howard voted for the motion. As a member of the Probable Cause Committee, Dr. Ward recused and was not present for the vote. Dr. Roberson recused and was not present for the vote.

Dr. Roberson returned to the room.

RFI 18-8;

As a member of the Probable Cause Committee, Dr. Ward is recused from this matter and did not return to the room.

This item was tabled.

RFI 18-12;

Dr. Roberson informed members that based on an informal meeting with the psychologist and a careful review of the facts of the case, it was determined that the facts and evidence in this matter did not reach the legal threshold necessary to warrant the board taking formal action. The recommendation is to dismiss and close RFI 18-12. Dr. Howard made a motion to accept the recommendation to dismiss and close RFI 18-12. Mr. O'Connor seconded the motion and the motion passed. O'Connor, Grundy, Frizzell, Howard, and Roberson voted for the motion. Ward was not present for the vote.

Reports of Miscellaneous Complaint Issues:

As a member of the Probable Cause Committee, Dr. Ward is recused from this matter and did not return to the room.

Dr. Roberson recused and left the room.

Dr. Howard presided as Chair.

Complaint No. BC 18-9

Oklahoma State Board of Examiner of Psychologist vs. Tamara Reeves, Ph.D.

Board members reviewed the Board Complaint along with the proposed Consent Order signed by Mr. Shirley and Dr. Reeves. Mr. Shirley provided information regarding the Complaint and the Order. The Order requires the Respondent to: send a letter to CLEET correcting the record regarding this matter, complete a minimum of nine (9) hours of APA approved continuing psychological education related to MMPI testing and interpretation for

law enforcement, complete a scholarly paper within one (1) year of the date the order becomes final, for Board review, and undergo supervision for a period of one (1) year from the date this Order becomes final. Additionally, the respondent will reimburse the Board for costs associated with the investigation and prosecution of this matter in the amount of eight hundred and ten dollars (\$810.00). Mr. O'Connor made a motion to accept the Consent Order. Mr. Frizell seconded the motion and the motion passed. O'Connor, Grundy, Frizzell, and Howard voted for the motion. As a member of the Probable Cause Committee, Dr. Ward recused and was not present for the vote. Dr. Roberson recused and was not present for the vote.

Dr. Roberson returned to the room.

RFI 18-10;

As a member of the Probable Cause Committee, Dr. Ward recused from this matter and did not return to the room.

Ms. Balzer served as the Hearing Officer.

Board members reviewed the Respondent's Motion to Dismiss RFI or to Disqualify the Board En Banc, the Response to Respondent's Motion to Dismiss RFI or to Disqualify the Board En Banc, and the Respondent's Reply to Board Response.

The Respondent's attorney provided Board members information concerning his motion. In addition, Mr. Shirley provided information regarding his response to the motion. Ms. Balzer educated Board members about the preliminary procedures outlined in the Rules before a formal complaint is filed against a licensee, which is the Request for Inquiry process. At this time, the Board lacks the authority to act on the motion because no complaint has been filed. Dr. Howard made a motion to deny the request. Mr. Frizzell seconded the motion and the motion passed. O'Connor, Grundy, Frizzell, Howard, and Roberson voted for the motion. As a member of the Probable Cause Committee, Dr. Ward recused and was not present for the vote.

Board members took a five-minute break.

Mr. Frizzell had to leave the meeting early.

Complaint No. BC 17-5

As a member of the Probable Cause Committee, Dr. Ward recused and did not return to the room.

Oklahoma State Board of Examiner of Psychologist vs. Gail Poyner, Ph.D.

Request to reinstate license without restriction.

Board members reviewed Dr. Poyner's request to reinstate her license without restriction. A discussion was held regarding the terms of the Consent Order and Dr. Poyner's request.

Pursuant to 25 O.S. 307(B)(8), Dr. Roberson made a motion to enter into Executive Session. Grundy seconded the motion and the motion passed. O'Connor, Grundy, Howard, and Roberson voted for the motion. As a member of the Probable Cause Committee, Dr. Ward recused and was not present for the vote.

Board members returned from Executive Session.

Oklahoma State Board of Examiners of Psychologists MINUTES – January 18, 2019

Mr. O'Connor made a motion to return to Open Session. Dr. Howard seconded the motion and the motion passed. O'Connor, Grundy, Howard, and Roberson voted for the motion. As a member of the Probable Cause Committee, Dr. Ward recused and was not present for the vote.

Dr. Howard made a motion that because Dr. Poyner has substantially complied with the Consent Order her license be reinstated early without restriction, as requested by Dr. Poyner. Dr. Grundy seconded the motion and the motion passed. O'Connor, Grundy, Howard, and Roberson voted for the motion. As a member of the Probable Cause Committee, Dr. Ward recused and was not present for the vote.

Dr. Ward returned to the room.

UC 18-5 (Jacob Hahn, Ph.D.)

Board members reviewed the Cease and Desist Letter sent to Dr. Hahn; as well as, Dr. Hahn's response. No action was taken.

The Board resumed in order of the agenda.

Minutes:

Board members reviewed the minutes of the November 2, 2018, Board meeting. Dr. Roberson presented amendments. Dr. Ward made a motion to approve the minutes of the November 21, 2018, meeting, as ammended. Mr. O'Connor seconded the motion and the motion passed. O'Connor, Grundy, Ward, and Roberson voted for the motion. Howard abstained.

Status of Current Request for Inquiries:

Ms. Rose informed Board members that the following Request for Inquiries (RFI) are currently under investigation:

RFI 18-5

RFI 18-11

RFI 18-13

Attorney General Opinions:

Board members reviewed the following Attorney General Opinion:

1. 2018-479A; Cease and Desist Letter, Christopher O'Banye, Ph.D.

Applications approved by the Application Review Committee (Nov - Dec 2018):

Mr. O'Connor made a motion to ratify the applications approved by the review committee for November – October 2018. Dr. Ward seconded the motion and the motion passed. O'Connor, Grundy, Howard, Ward, and Roberson voted for the motion.

Executive Officer's P-Card Statements for Review and Approval (Nov – Dec 2018):

Dr. Howard made a motion to approve the Executive Officer P-Card Statements for November – December 2018. Dr. Grundy seconded the motion and the motion passed. O'Connor, Grundy, Howard, Ward, and Roberson voted for the motion.

Administrative Issues:

Monthly Budget/Revenue/Expense Report; Board members reviewed the monthly budget, revenue, and expense reports provided by Ms. Rose.

2019 License Renewal Report; Ms. Rose provided Board members a copy of the 2019 renewal report.

2019 OSBEP Meeting Schedule; Board members discussed alternative meeting dates for 2019. Dr. Roberson made a motion to move the September 20, 2019, meeting date, to September 27, 2019. Dr. Howard seconded the motion and the motion passed. O'Connor, Grundy, Howard, Ward, and Roberson voted for the motion.

2019 meeting dates:
Friday, January 18, 2019
Friday, March 29, 2019
Friday, May 17, 2019
Friday, July 12, 2019
Friday, September 27, 2019
Friday, November 15, 2019

ASPPB Meeting; Dr. Roberson made a motion to approve two members to attend the April 2019 ASPPB Meeting with the Executive Officer. Dr. Grundy seconded the motion and the motion passed. O'Connor, Grundy, Howard, Ward, and Roberson voted for the motion.

Administrative Updates; Ms. Rose announced that Governor Fallin appointed Curtis Grundy, Ph.D., as the new OSBEP Member to replace Randy Randleman, Ph.D., and provided Board members updated Board Member Orientation Booklets.

Legislative Updates; At its meeting on November 2, 2018, the Board voted to proceed with the proposed changes to the Psychologists Licensing Act, 59 O.S. §§ 1353, 1365, 1368, and 1370. Ms. Rose informed Board members that SB 0160 authored by Senator Floyd and HB 2195 authored by Representative Dr. Randleman include the proposed changes. Also provided, was additional information regarding Sunset, other legislation, and an update from the OPA.

Dr. Roberson announced that there is no further business to discuss. Mr. O'Connor made a motion to adjourn. Dr. Howard seconded the motion and the motion passed. O'Connor, Grundy, Howard, Ward, and Roberson voted for the motion.

The meeting adjourned at 10:55 a.m.

Respectfully Submitted,

Jeanne Rose
Teanne Rose
Executive Officer

Oklahoma State Board of Examiners of Psychologists Application Review Committee Approvals November - December 2018

Psychological Technicians:

Psychologist: Psychological Technician:

Anna Mazur-Mosiewicz, Ph.D. Nicole Gersbeck

Sara Rich, Ph.D. Irene Chun - revised application

Continuing Professional Education (CPE) Approvals:

Using Therapeutic Ruptures as Reparative Opportunities; Sponsor: Hope Springs Building; 2 CPE hours; January 11, 2019.

Recognizing Pathology in the Higher Performing Individual; Sponsor: Parkside Psychiatric Hospital & Clinic; 3 CPE hours; January 11, 2019.

Applications to sit for Licensure Examinations and/or Practice Under Supervision Agreements

Approvals:

Applicant: Approval for:

Scott Secor, Ph.D. Approval of IPUS and sit for exams

<u>Licensed Health Service Psychologists November-December 2018:</u>

Debbie Gomez, Ph.D. License Number: 1327 Issue Date: 11/07/2018