

THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES
July 15 and 16, 2010

A regular meeting of the Board of Examiners of Psychology was held at General Butler State Park in Carrollton, KY on July 15, 2010.

MEMBERS PRESENT

Thomas W. Miller, Ph.D., Chair
Barbara K. Jefferson, Ph.D., Vice-Chair
Dennis Buchholz, Ph.D.
Richard Applegate, M.A.
Eva Markham, Ed. D.
William G. Elder, Ph.D.

OCCUPATIONS & PROFESSIONS STAFF

Julie Jackson, Board Administrator

OTHERS PRESENT

Mark Brengelman, Assistant Attorney General
Sheila Schuster

MEMBERS ABSENT

Paula Glasford
Danette Morton-Page, M.A.

CALL TO ORDER

Dr. Miller, Ph.D., Chair, called the meeting to order at 12:36 p.m. on July 15th. The meeting reconvened at 9:00 a.m. on July 16th.

MINUTES

The minutes of the June 7, 2010 meeting were called to the attention of the Board. A motion was made by Dr. Buchholz to approve the minutes as amended. The motion, seconded by Dr. Markham, carried.

FINANCIAL Report

Financial statement was presented to the Board for the month ending June 30, 2010 and legal fees for May, 2010. Mr. Applegate made a motion to accept the financial statement and legal fees. Motion, seconded by Dr. Markham, carried.

DIRECTOR'S REPORT

None

COMPLAINTS SCREENING COMMITTEE

- Case 00-05 – In process of discovery.
- Case 03-12 and Case 06-05 – The case is to be settled with appropriate paperwork and follow-up at next meeting.

- Case 08-18 – Dr. Buchholz will request that supervision reports be submitted quarterly and ask for verification that the quarterly submission is accepted.
- Case 09-03 – A request was submitted for approval of a continuing education course in order to fulfill the requirement of eight hours in law and ethics training per the Settlement Agreement. A motion was made by Dr. Jefferson to approve the request. The motion, seconded by Dr. Elder, carried. Mr. Applegate will send a letter of response advising the request was approved.
- Case 09-08 – Mediation is scheduled for September 22, 2010 at the office of Dr. Buchholz.
- Case 10-02 – Case is ongoing.
- Case 10-13 – A motion was made by the Complaints Screening Committee to dismiss the case. The motion, seconded by Dr. Jefferson, carried.
- Case 10-14 - A motion was made by the Complaints Screening Committee to dismiss the case. The motion, seconded by Dr. Jefferson, carried.
- Case 10-15 – A motion was made by the Complaints Screening Committee to open an investigation. The motion, seconded by Dr. Jefferson, carried. The case will be assigned to investigator, Stan Heck.
- Case 10-17 – A motion was made by the Complaints Screening Committee to dismiss the case. The motion, seconded by Dr. Jefferson, carried. The Board suggested adding a written statement that when an evaluation is done as an IME or for a disability determination that a copy of the report will only be released to the client and the entity for which the report is completed can be the entity.
- Case 10-19 – A motion was made by the Complaints Screening Committee to open an investigation. The motion, seconded by Dr. Jefferson, carried. The case will be assigned to investigator, Paula Berry. A second motion was made by the Committee to pull additional files for review by the investigator. The Board voted with Dr. Elder voting opposed.

A motion was made by Dr. Markham to go into closed session per KRS 61:810 (1) (c) to discuss case 00-05, Maggard vs. KBEP. The motion, seconded by Dr. Jefferson, carried.

A motion was made by Dr. Markham to return to open session. The motion, seconded by Dr. Buchholz, carried.

A motion was made by Dr. Jefferson for Mr. Brengelman to respond in writing to Mr. Demoisey, attorney for Dr. Maggard. The motion, seconded by Dr. Buchholz, carried. The Board voted with all in favor.

COMMITTEE REPORTS

Supervision Committee – Dr. Elder discussed secondary supervision, and issues related to reviewing and auditing supervision records. He will bring suggested recommendations to the August meeting.

Continuing Education Committee – Ongoing progress and routine monitoring.

Credentials Review Committee – Dr. Jefferson discussed an applicant who is not eligible for licensure and appears to be practicing without a license. She will send a letter to the applicant advising that she is not eligible and request clarification of her practice. Dr. Jefferson reviewed issues related to the credentials committee. Discussion followed. These issues will be discussed further.

Examination Committee – Dr. Jefferson discussed suggestions to the exam process. Discussion was tabled until the August meeting.

Disciplined Psychologists Reports – None.

EXPIRED LICENSURE REPORT

There were no expired licenses for March 2010..

OLD BUSINESS

Telepsychology regulations – Discussion was held on the 15th regarding the regulations and tabled until the 16th. Dr. Miller and Mr. Brengelman reviewed the reports on telehealth for 2008 and 2009. Mr. Brengleman reviewed with the committee each of the drafted regulations and modifications were made. He will provide revisions at the August meeting.

Sheila Schuster joined the meeting to discuss revised proposed regulations. It was determined that the proposed regulation regarding the fee schedule would be removed. Revisions were made to the criteria to be incorporated into regulation 201 KAR 26:190. The revisions are underlined below with redactions in brackets.

At least seventy-five (75) percent of the required hours of supervision must [may] be done [individually, face-to-face] by a licensed psychologist, one-third must be done individually. No more than twenty-five (25) percent of the required hours of supervision may be done [a.] [Individually], face to face by a licensed mental health professional.

No more than fifty [30] percent of the total supervision hours may be done via secure interactive video conferencing.

It was also determined that supervision hours may be earned in a work setting.

NEW BUSINESS

Email from Linda Tribble regarding Psychological Associate billing for Neuropsychological testing – A discussion was held. Dr. Buchholz will respond to Ms. Tribble.

KBEP at KPA November 11 & 12, 2010 – Dr. Miller advised the Board of the schedule for the KPA conference to be held at the Crowne Plaza Hotel in Louisville, KY. The open Board meeting will be held on November 11th from 1:30 p.m. -3:00 p.m. Dr. Abby Shapiro and Dr. Henry Davis will present a prep course for the structured exam from 3:00 p.m.-4:30 p.m. An ethics presentation is scheduled from 3:00 p.m. – 4:30 p.m. New licensees will be introduced during the 5:30 p.m. program.

Resignation of Dr. Shapiro – Concern of Dr. Shapiro's vacancy was discussed. Dr. Miller will discuss options with Ms. Short.

Office of the Attorney General Customer Survey – Surveys were distributed to Board members by Mr. Brengelman and completed.

SCHEDULE NEXT MEETING

August 9, 2010 at the Office of Occupations and Professions

TRAVEL AND PER DIEM

A motion was made by Dr. Buchholz to approve payment of travel expenses and per diem compensation for eligible members attending the meeting at General Butler State Park, including Ms. Schuster. The motion, seconded by Dr. Markham, carried.

ADJOURN

A motion made by Dr. Buchholz to adjourn the meeting at 11:10 a.m. The motion, seconded by Dr. Markham, carried.

Thomas W. Miller, Ph.D.
Board Chair