

THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES
May 9, 2011

A regular meeting of the Board of Examiners of Psychology was held at the Office of Occupations and Professions in Frankfort, KY on May 9, 2011.

MEMBERS PRESENT

Thomas W. Miller, Ph.D., Chair
Barbara K. Jefferson, Ph.D., Vice-Chair
Sally Brenzel, Psy.D.
William G. Elder, Ph.D.
Melissa Hall, M.S.
Owen Nichols, Psy.D.
Danette Morton-Page, M.A.
Eva Markham, Ph.D.

OCCUPATIONS & PROFESSIONS STAFF

Julie Jackson, Board Administrator
David Garr, Deputy Executive Director

OTHERS PRESENT

Mark Brengelman, Assistant Attorney General
Lisa Willner, Executive Director, KPA

MEMBERS ABSENT

Paula Glasford

CALL TO ORDER

Dr. Miller, Ph.D., Chair, called the meeting to order at 10:05 a.m.

MINUTES

The minutes of the April 18, 2011 meeting were called to the attention of the Board. A motion was made by Dr. Markham to approve the minutes as amended. The motion, seconded by Ms. Morton-Page, carried.

FINANCIAL REPORT & LEGAL FEES

Financial statement for the month ending April 30, 2011 and legal fees for March 2011 were presented to the Board. A motion was made by Dr. Jefferson to accept the financial statement and legal fees. The motion, seconded by Dr. Markham, carried.

DIRECTOR'S REPORT

Investigator contracts - Mr. Garr discussed the investigator contract of Dr. Stan Heck which will need a modification due to a lack of funds remaining in the investigation portion of the contract. The modification will consist of transferring funds from the travel portion of the contract which are plentiful and increasing the investigation portion. A motion was made by Dr. Elder to approve the modification. The motion, seconded by Dr. Markham, carried.

Mr. Garr advised that a new solicitation will need to be drafted for Dr. Heck's position as a board investigator. Dr. Elder recommended that the new solicitation state that the contract will be renewable for three (3) years and that an announcement be posted on the KBEP and KPA websites advising of the solicitation. A motion was made by Ms. Morton-Page to approve the new solicitation with Dr. Elder's recommendations. The motion, seconded by Dr. Markham, carried.

Mr. Garr discussed the request of The Commonwealth of Kentucky, through the Office of Occupations and Professions, that all contracted vendors consider a five percent (5%) reduction in their pricing, specifically in the hourly rate contained within the Terms and Conditions of the contract. Mr. Garr advised that the contracts are between the State of Kentucky, the Office of Occupations and Professions and the contract holders. Mr. Brengelman disagreed stating that the contracts are between the Board of Examiners of Psychology and the contract holders. He also expressed his concern that the Board was not notified prior to the notice being sent to the contracted investigators.

A motion was made by Dr. Nichols that all contracts handled by the Office of Occupations and Professions on behalf of the Board shall be at the approval of the Board and signed by the Chair. The motion, seconded by Dr. Jefferson, carried.

LEGAL MATTERS

COMPLAINTS SCREENING COMMITTEE

- Case 00-05 – No action taken.
- Case 03-12 and 06-05 – Ongoing.
- Case 09-08 – Mr. Brengelman has drafted a letter regarding the appointment of a supervisor pending the psychologist's return to practicing psychology and providing clinical services. Eva Markham is the Case Manager and Dr. Elder is the liaison.
- Case 10-19 – Mr. Brengelman and Dr. Markham will draft a Notice of Administrative Hearing.
- Case 10-21 – Ongoing.
- Case 10-22 – The Board ordered mental status examination is scheduled for May 26, 2011.
- Case 10-23 – An administrative hearing is scheduled for June 28, 2011 and may be moved to Paducah, Kentucky. Dr. Jefferson and Dr. Brenzel will attend if the hearing is held in Frankfort. Dr. Miller will attend whether held in Frankfort or Paducah.
- Case 10-24 – Ongoing.
- Case 10-27 – Ongoing.
- Case 10-30 – Ongoing.
- Case 11-01 – Ongoing.

- Case 11-02- Mr. Brengelman will forward the closure letter to Dr. Miller and Ms. Jackson for review.
- Case 11-03 A & B – Ongoing.
- Case 11-04 – Ongoing.
- Case 11-05 – Ongoing.
- Case 11-06 – Ongoing.
- Case 11-07 – Ongoing.
- Case 11-08 – A motion was made by the Complaints Screening Committee to investigate the complaint. The motion, seconded by Dr. Jefferson, carried. Dr. Markham will serve as Case Manager.

Dr. Brenzel inquired as to the records provided under the open records law. A discussion was held regarding documents contained in complaint files. Mr. Brengelman advised that attachments such as medical records and court documents in closed cases should be shredded and the only documents that should remain in the file of a closed case are the complaint, response, cover letters and closure letters. Mr. Brengelman also advised that this retention policy should be included in the retention schedule approved by Libraries and Archives. A motion was made by Dr. Markham to approve the shredding of attached documents as discussed and to include the motion in the retention policy of the Board to be approved by Libraries and Archives. The motion, seconded by Ms. Hall, carried.

A motion was made by Dr. Nichols that a draft of the retention policy will be reviewed and discussed at the retreat meeting in July. The motion, seconded by Dr. Elder, carried.

The members of the Complaints Screening Committee recused from voting on the above recommendations of the Committee.

COMMITTEE REPORTS

Supervision Committee – Ongoing and routine monitoring.

Continuing Education Committee – Ongoing and routine monitoring.

Credentials Review Committee – Dr. Jefferson discussed an applicant that is short on supervised experience hours and a discrepancy in the law booklet regarding the requirements for supervised experience. Mr. Brengelman advised that she defer to the lesser of the two statements. The discrepancy will be discussed further at the July retreat meeting.

Examination Committee –The next exam will be held on June 17, 2011.

Disciplined Psychologists Reports – None.

EXPIRED LICENSURE REPORT

There were three (3) expired license for the month of January. Dr. Markham made a motion to send a certified letter to these licensees advising them that their license has expired and that they must cease practice. Motion, seconded by Ms. Hall, carried.

OLD BUSINESS

Retreat – A discussion was held regarding the dates and availability of Board members. The retreat will be held at Shaker Village on July 28th and 29th, 2011.

Request for Psychometric Data from Jesse Owen – A discussion was held and Dr. Miller will draft a response.

NEW BUSINESS

August meeting – The meeting on August 1, 2011 will be cancelled as the retreat will be held on July 28th and 29th.

KPA convention planning – The open Board meeting and structured exam prep course will be held on November 10, 2011. Times have not been set.

CONFLICTS

None

SCHEDULE NEXT MEETING

The next Board meeting will be held on June 6, 2011 at the Office of Occupations and Professions in Frankfort, Kentucky.

TRAVEL AND PER DIEM

A motion was made by Dr. Jefferson to approve payment of travel expenses and per diem compensation for eligible members attending today's meeting. The motion, seconded by Ms. Morton-Page, carried.

ADJOURNMENT

A motion made by Dr. Markham to adjourn the meeting at 12:20 p.m. The motion, seconded by Dr. Jefferson, carried.

Thomas W. Miller, Ph.D. ABPP
Board Chair