

THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES
November 04, 2024

A regular meeting of the Board of Examiners of Psychology was held on November 04, 2024 at 10:00am via Zoom teleconference and in-person at 500 Mero St, Frankfort, KY 40601, the Mayo-Underwood Building, PPC Conference Room, 127CW.

MEMBERS PRESENT

Eva Markham, Ed.D.- Chair
Lisa Bond M.A.
Jay Prather-Citizen at Large
Harwell Smith, Ph.D.
Emily Skaggs, Psy.D.
Jeff Hicks, Ph.D.
Lorilea Conyer M.A.
Dennis J. Buchholz, Ph.D.

DEPARTMENT OF PROFESSIONAL LICENSING STAFF

Jamar Carter, Executive Staff Advisor
Trish Provence, Boards & Commissions Support Specialist
Kayla Maupin, Boards & Commissions Support Specialist
Jenna Wells, Fiscal Support Specialist

OTHER

Mark Brengelman, Board Counsel
Micheal Nickles, Assistant to Board Counsel

MEMBERS ABSENT

GUEST

CALL TO ORDER

Board Chair, Dr. Markham called the meeting to order at 10:05 a.m.

MINUTES

The Board reviewed the minutes from the September 30th, 2024 Board Meeting. Dr. Buchholz made a motion to approve the meeting minutes as amended. Dr. Hicks seconded the motion and the motion carried.

Mr. Prather withdrew his previous amendment to the September 6th, 2024 Board Meeting Minutes concerning the Regulation Committee recommendations on 201 KAR 26:190.

DPL REPORT

There was no update for the DPL report.

FINANCIAL REPORT

The Board reviewed the 5 - Year Financial Report Spreadsheet. The Board discussed concerns on the continuing financial deficit. The Board discussed the Department of Professional Licensing fees taken out quarterly in July, October, and January.

The Board reviewed the September 2024 Financial Report and October 2024 Financial Report.

LICENSURE STATUS REPORT

Dr. Markham requested the licensure status report as of November 01, 2024.

ATTORNEY UPDATE

The Board reviewed the Personal Service Contract for the new Board Attorney, Mark Brengelman. Dr. Buchholz made a motion to accept the contract as presented. Dr. Smith seconded the motion and the motion carried.

COMPLAINTS/OTHER LEGAL MATTERS

Dr. Buchholz made a motion to enter closed session at 10:19 a.m. pursuant to KRS 61.810(1)(j) for deliberations of quasi-judicial bodies regarding complaints at which information protected by KRS 61.810(1)(k) may be discussed and pursuant to KRS 61.810(1)(c) for discussions of proposed or pending litigation against or on behalf of the

public agency. The motion was seconded by Ms. Bond, and it carried.

Ms. Bond made a motion to return to open session, Dr. Buchholz second the motion, and it carried.

Dr. Buchholz announced 10:46 a.m. as the time returned from closed session.

Mr. Brengelman recused himself and left the room during the discussion of Agency Case 2024PSY000006 and 2023PSY00020.

Complaints Committee Chair, Ms. Bond presented the following recommendations and motions to the Board:

- 2023PSY00020
 - Recommendation to dismiss for insufficient evidence to support a violation of law.
- 2024PSY00005
 - Recommendation to issue a Notice of Administrative Hearing and Order to be drafted by Mr. Brengelman; settlement authority was given to Mr. Brengelman; also, recommendation to file an initiating complaint with the Kentucky Board of Alcohol and Drug Counselors.
- 2024PSY00006
 - Recommendation to issue a Private Admonishment for an apparent violation of law.

Dr. Buchholz made a motion to accept the recommendations as presented. Ms. Bond seconded the motion and the motion carried.

OLD BUSINESS

The Board discussed the Board Consultant RFP. No update was available for the progress of the RFP but information will be provided by Commissioner Lawson when she returns next meeting.

NEW BUSINESS

The Board discussed the Office of Inspector General's Survey requesting the Board to identify whether it is within the scope of practice of their licensed practitioners to order a personal restraint or seclusion. The Board reviewed the 2010 survey results obtained from the Office of Inspector General by the Children's Alliance and provided to the Board email. Mr. Prather moved to maintain the survey responses from 2010 on the 2024 survey, confirming that it is within the scope of practice of all levels of licensure to order a personal restraint or seclusion. Ms. Bond seconded the motion. Dr. Smith opposed the motion. The motion to submit the 2024 survey in accordance with the 2010 responses carried.

The Board discussed suspending oral examinations as proposed by the Kentucky Psychological Association. KPA proposed suspending the oral examination because of the wait time for licensees to sit for structured examinations. The Board determined that such an action would require an emergency administrative regulation signed into law by the Kentucky Governor. The Board decided there was not sufficient evidence to provide the Governor which would show that the issue had risen to the level of a public emergency. The Board discussed the constraints of not having enough volunteer examiners to test licensees, as it requires two examiners of an appropriate level of licensure to schedule an oral examination. The Board policy of having two examiners per oral examination was reviewed. Board members reaffirmed that it was necessary to have two examiners to maintain testing integrity and impartiality. The Board outlined their standard for administrative specialists that licensees should be scheduled for an examination within 60 days from the Credentials Committee having received and approved a licensee's Official EPPP Score Report. If licensees are not able to be scheduled for Oral Examination within 60 days of the Credentials Committee's approval to sit for structured examination, then Administrative Specialists are to call the issue to the attention of the board.

The Board discussed the possibility of adding additional members to the Board to redistribute the work allocated to more demanding committees. The Credentials Committee brought up the issue of needing an additional member to maintain the application processing tempo. The Board Counsel advised that only nine members can be appointed to the Board but recommended considering additional Board staffing. The Board Consultant RFP was referred to as a potential solution for identifying ongoing administrative needs.

MONTHLY REPORTS

Supervision Report:

Dr. Smith notified the board that all supervision has been reviewed and approved.

Continuing Education Report:

Dr. Buchholz notified the board that ten Continuing Education applications have been reviewed and approved.

Credentials Review Committee:

Dr. Skaggs provided an update regarding applications.

46 applications reviewed:

- 42 Approved
 - Renewals: A.D., M.W., S.K., | Initial Applications: A.U., A.R., A.G., A.P., A.B., C.M., C.M., E.S., E.A., E.T., G.G., G.E., H.W., J.H., J.K., J.S., K.F., K.W., M.M., M.H., M.L., M.W., N.F., S.S., T.B., Z.N., | HSP: A.T., M.T., S.C., | License Issuance: C.E., C.O., D.O., D.R., L.H., M.R., M.F., M.B., S.R., S.M.
- 3 Deferred
 - E.H., E.P, N.H.
- 1 Denied
 - N.L.

Examination Report

Ms. Bond notified the board that all applications are complete.

Disciplined Psychologist Report:

No Report

Newsletter Report:

Mr. Prather notified the Board he will continue to work on a draft for the next Board Meeting.

Regulations Committee Report:

Mr. Prather provided an update that the October meeting was cancelled, and that the November meeting will be rescheduled as not to conflict with the KPA Annual Meeting.

COMMITTEE RECOMMENDATIONS:

A motion was made by Dr. Smith to accept all committee recommendations. Ms. Bond second the motion and the motion carried.

PER DIEM & HONORARIA:

- Dennis Buchholz
 - October 30, 2024 – Complaints Review
 - October 31, 2024 – Complaints Review
 - November 03, 2024 – Continuing Education Review

- Lisa Bond
 - October 02, 2024 – Examination Review
 - October 09, 2024 – Complaints Review

- Emily Skaggs
 - October 29, 2024 – Credentials Review
 - October 31, 2024 – Credentials Review
 - November 01, 2024 – Credentials Committee Meeting
 - November 02, 2024 – Credentials Review

- Lorilea Conyer
 - October 28, 2024 – Credentials Review
 - October 29, 2024 – Credentials Review
 - October 30, 2024 – Credentials Review
 - October 31, 2024 – Credentials Review
 - November 01, 2024 – Credentials Committee Meeting

- Jeffery Hicks
 - October 07, 2024 – Structured Exam Testing
 - October 09, 2024 – Structured Exam Testing
 - October 29, 2024 – November 03, 2024 – ASPPB Annual Conference

- Eva Markham
 - October 24, 2024 – Complaints Review
 - October 25, 2024 – Complaints Review
 - October 30, 2024 – Credentials Review
 - November 01, 2024 – Credentials Committee Meeting

Dr. Smith made a motion to approve travel, per diem and exam honoraria compensation for all eligible members attending today’s meeting, Dr. Buchholz second the motion and it carried.

NEXT MEETING:

Monday, December 02, 2024 at 10:00 a.m.

PUBLIC COMMENT:

None

ADJOURNMENT:

Ms. Bond made a motion to adjourn at 12:11 p.m., Dr. Skaggs second the motion, and it carried.