

**THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES**  
**April 5, 2021**

A regular meeting of the Board of Examiners of Psychology was held on April 5, 2021 via Zoom teleconferencing.

**MEMBERS PRESENT**

Jean Deters, Psy.D. – Chair  
Jamie Hopkins, Ph.D. – Vice Chair  
Joseph Dickhaus, M.S.  
Justin Gilfert – Citizen at Large  
Eva Markham, Ed.D.  
Elizabeth McKune, Ed.D.  
Brenda Nash, Ph.D.  
Stacy Seale, M.S.  
Emily Skaggs, Psy.D.

**MEMBERS ABSENT**

None

**DEPARTMENT OF PROFESSIONAL LICENSING**

Chessica Nation, Administrative Section Supervisor  
Felicia Juett, Board Administrator  
Kevin Winstead, Acting Commissioner

**OTHER**

Leah Boggs, General Counsel

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**CALL TO ORDER**

Dr. Deters called the meeting to order at 10:04 a.m.

**MINUTES**

The minutes of the March 1, 2021 meeting were presented to the Board. Dr. Markham made a motion to approve the minutes as presented. Dr. Nash seconded the motion and it carried.

**MONTHLY FINANCIAL REPORT & LEGAL FEES**

The March 2021 financial report was presented to the Board.

**DPL REPORT**

Mr. Winstead stated that the amended regulations were filed on March 4<sup>th</sup> and are in the promulgation process. He stated the regulations are currently available to the public and that the public comment period runs through May. The tentative public hearing is scheduled for May 28<sup>th</sup>.

Mr. Winstead also addressed Senate Bill 49 (SB 49). He stated SB 49 was enacted and will go into effect towards late June. SB 49 amended laws regarding wage & hour, workers compensation, and unemployment insurance. It provided that a person who provides certain services through a contractual relationship will be exempt from those labor laws mentioned. This means if a person is working as an employee and is changed to an independent contractor, they'll be exempt from those labor laws. Many concerns were raised and discussed on the impacts this bill will have on Licensed Psychological Associates. He stated we can monitor to see if this will have an impact on the LPAs and if so, we can ask the legislature to make clarifications in the next session. Another option discussed would be to look at adding language to the current regulation while it is still in the promulgation process. An Ad Hoc committee was formed to discuss this in more detail between meetings.

**LEGAL REPORT**

Ms. Boggs presented the MOA contract and stated that it is the same as last year. The approval of the contract was tabled for the next meeting to allow more time for review and discussion.

**COMPLAINTS SCREENING COMMITTEE**

- 2019PSY00010 – Ongoing.
- 2019PSY00019 – Ongoing.
- 2019PSY00020 – Ongoing.
- 2019PSY00031 – Recommended by the committee to file an exception for the Order of Dismissal.
- 2020PSY00002 – Ongoing.

- 2020PSY00005 – Recommended by the committee to issue a private admonishment. Note – Dr. McKune recused herself from the conversation and vote.
- 2020PSY00013 – Ongoing.
- 2021PSY00002 – Ongoing.
- 2019PSY00023 – Recommended by the committee to assigning an investigator to this case.
- 2020PSY00015 – Recommended by the committee to assigning an investigator to this case.
- 2021PSY00004 – Recommended by the committee to assigning an investigator to this case. Note – Dr. McKune recused herself from the conversation and vote.

A motion was made and seconded by the Complaints Screening Committee to take the above actions and it carried.

## **OLD BUSINESS**

### **ASPPB PLUS**

Ms. Seale reported that the board has received approval to begin using the ASPPB PLUS Program. Details were discussed on how to obtain applications for the program, which included adding a link and description of the program on the KBEP website. Dr. Deters made a motion to allow KBEP to pay ASPPB for the fees associated with processing applications through the ASPPB PLUS Program. Dr. Hopkins seconded the motion and it carried.

## **NEW BUSINESS**

### **Board Training**

Dr. Deters discussed the training required for board members and investigators under KRS 319.032 Section 1(e). Ms. Nation presented a process used by other boards that could be used to complete this requirement. She stated that she will follow up with this and send details at later date.

### **PSYPACT**

Ms. Boggs stated that the PSYPACT has passed and will go into effect at the end of June. Details were discussed on whether any KBEP laws will be affected by the PSYPACT passing. This discussion will be revisited at the May meeting.

### **Publicizing the Board's Advocacy Policy**

Dr. Deters reported that the Board is often asked to weigh in on regulations, bills, and other issues. She questioned whether a policy needs to be publicized that states KBEP is not an advocacy board. Ms. Boggs stated that she will look at the language and give input as needed.

### **Application fees for LPs, LPPs, LPAs**

Details were discussed on the process of how to change application fees, should the Board need to in the future. It was stated that if the statutory cap listed in the regulations is not met, the regulations can be amended.

### **eServices Refresher**

Ms. Nation gave an update on how to process items reviewed by the Board in eServices.

### **Email Questions**

The Board reviewed the email questions and Ms. Juett will respond as directed. Dr. Deters made a motion to waive renewal fees for the next two cycles of renewals for a licensee, due to an error in entering the incorrect renewal date that caused the licensee a financial hardship. Mr. Dickhaus seconded the motion and it carried.

## **LICENSURE STATUS REPORT**

The Board reviewed the licensure status report.

## **COMMITTEE REPORTS**

A motion was made by Mr. Dickhaus to take the actions recommended by the corresponding committees. Dr. Hopkins seconded the motion and it carried.

### **Supervision Committee**

No report.

### **Continuing Education Committee**

No report.

### **Credentials Review Committee**

No report.

### **Examination Committee**

The Examination Committee Chair discussed whether it is appropriate to give more specific feedback to examinees if requested after they fail the oral exam. It was decided to send additional feedback if requested by an examinee. Details were also discussed about the process in which remediation plans are reviewed by the Board for the EPPP and structured exam. An Ad Hoc committee was formed to review this process.

### **Disciplined Psychologists Committee**

The Disciplined Psychologist Committee Chair reported that the final report was received for the current disciplined psychologist. Per the regulations, a follow up meeting was held between the supervisor, disciplined psychologist, and Committee Chair. Details about this meeting were discussed. The Committee Chair recommended closing the case for the individual, since the licensee fulfilled the obligations of the sanctions recommended by the board.

### **Newsletter Committee**

The Newsletter Committee Chair reported that the newsletter was distributed last month.

### **SCHEDULE NEXT MEETING**

Monday, May 3<sup>rd</sup> at 10:00 a.m.

### **PER DIEM**

Dr. Deters made a motion to approve per diem compensation for eligible members attending today's meeting and other board business between meetings. Dr. Nash seconded the motion and it carried. Additional board business included:

- **Jean Deters:** March 12, 2021 Administering exams
- **Jamie Hopkins:** March 12, 2021 Administering exams
- **Brenda Nash:** March 12, 2021 Administering exams
- **Joe Dickhaus:** March 12, 2021 Administering exams

Mr. Gilfert made a motion to pay honoraria for the following volunteer examiners. Dr. Markham seconded the motion and it carried.

- **Cay Shawler:** March 12, 2021
- **Pat McGinty:** March 12, 2021
- **Sally Brenzel:** March 12, 2021
- **Tammy Hatfield:** April 5, 2021

### **ADJOURNMENT**

A motion was made by Mr. Dickhaus to adjourn the meeting at 12:37 p.m. The motion, seconded by Dr. Deters, carried.



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Jean Deters, Psy.D. – Chair