

**THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES**  
**September 13, 2021**

A regular meeting of the Board of Examiners of Psychology was held on September 13, 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.  
Emily Skaggs, Psy.D.  
Stacy Seale, M.S.  
Brenda Nash, Ph.D.

**DEPARTMENT OF PROFESSIONAL LICENSING**

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

**OTHER**

Leah Boggs, General Counsel

**MEMBERS ABSENT**

Elizabeth McKune, Ed.D.

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**CALL TO ORDER**

Dr. Deters called the meeting to order at 10:01 a.m.

**MINUTES**

The minutes of the July 12, 2021 meeting were presented to the Board. Dr. Deters made a motion to approve the minutes as presented. Dr. Markham seconded the motion and it carried. The minutes of the August 2, 2021 meeting were presented to the Board. Dr. Deters made a motion to approve the minutes as amended. Dr. Markham seconded the motion and it carried.

**MONTHLY FINANCIAL REPORT & LEGAL FEES**

The August 2021 financial report was presented to the Board.

**DPL REPORT**

Mr. Winstead discussed information regarding the Legislature’s Special Session and its actions regarding the extension of the COVID state of emergency. He stated that the Legislature passed House Joint Resolution 1 which extends the COVID state of emergency until January 15, 2022. DPL will continue to monitor this closely.

Mr. Winstead also reported that the Board recently became a member of CLEAR. The cost for the membership is \$250 per year. He stated that CLEAR will be offering a virtual training on November 18 and 19 for sexual misconduct, at the cost of \$199 per member. He also stated that CLEAR would be able to provide a closed training at a later date if preferred, but would need a committed 15 – 20 attendees to participate. Dr. Deters suggested that some KPA members may be interested in attending this training, and suggested the closed training date to be included in the 2022 retreat. Ms. Juett will reach out to CLEAR for more information on the closed training sessions and the possibility of having a mid-July 2022 training for our members.

Mr. Winstead reported that DPL recently consulted with Janet Orwig, the PSYPACT Executive Director, regarding PSYPACT preparation. He stated that per PSYPACT’s request, we have added information to the Board’s website regarding their Proposed Rules for consideration and comment. The rules are in regard to the Compact Privilege to Practice Telepsychology, Compact Temporary Authorization to Practice, and the PSYPACT Commission. He stated that the deadline for submission of written comments is November 4, 2021, and the public hearing will be November 18, 2021. All comments go directly to PSYPACT. Additionally, Mr. Winstead stated that PSYPACT legislation states if they adopt a rule, the Board will have 60 days to adopt that rule. He stated that the Board may eventually need to file a regulation that states we incorporate the rules of the compact. Mr. Winstead also stated

that the Board will need to get legislation in to place to include the background checks but will have 10 years to adopt this change.

Mr. Winstead also reported that he has followed up with the Office of Information Technology regarding SignEasy. IT suggested the use of AdobeSign which is available through COT, but the Board would need to show it will be used. Additionally, Mr. Winstead stated that DPL will continue to set up board meetings for both remote and in-person attendance by board members and the public. Currently, anyone attending in-person must wear a face covering while in the building.

### **LEGAL REPORT**

Ms. Boggs reported that Shan Dutta has joined a new department and will no longer be working with DPL. She stated that she will be filling in as the Board's legal counsel for the present moment.

### **COMPLAINTS SCREENING COMMITTEE**

- 2019PSY00019 – Ongoing.
- 2019PSY00020 – Ongoing.
- 2019PSY00023 – Recommended by the Complaints Screening Committee to complete a fitness for duty evaluation.
- 2019PSY00031 – Ongoing.
- 2020PSY00003 - Recommended by the Complaints Screening Committee to assign an investigator to the case.
- 2020PSY00006 – Ongoing.
- 2020PSY00015 – Discussed in closed session.
- 2021PSY00002 – Recommended by the Complaints Screening Committee to have licensee sign an Agreed Order. The Agreed Order would include the following requirements: Monitoring for a year with a Board approved counselor and supervisor, a fitness for duty evaluation to be completed, quarterly reporting from the supervisor and counselor to the Complaints Screening Committee, 3 hours of Continuing Education in selfcare, 3 hours of Continuing Education in substance abuse. If the requirements of the Agreed Order are met, the Board will issue a private admonishment. If the requirements of the Agreed Order are not met, the Board will determine the results at that time.
- 2021PSY00003 – Ongoing.
- 2021PSY00004 – Ongoing.
- 2021PSY00017 – Recommended by the Complaints Screening Committee to dismiss.

### **Closed Session Deliberations**

Dr. Deters moved and Dr. Nash seconded for the Kentucky Board of Examiners of Psychology to enter closed session, pursuant to KRS 61.810(1)(j) and (1)(k) at 10:55 a.m. regarding the deliberations of quasi-judicial bodies at which information protected by federal and state law may be discussed to discuss applications and complaints. In addition, pursuant to KRS 61.810(1)(c) to discussion proposed or the following pending litigation:

- 19-C-095
- 19-C-098

All being in favor, the Board entered into closed session at 10:55 a.m.

The Board reconvened in Open Session at 11:08 a.m. No votes were made on items discussed in closed session.

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

### **OLD BUSINESS**

#### **PLUS Program**

The Board discussed details about the PLUS program sunseting. Currently, the applicants who have started the process with PLUS can continue the application process, but new applicants cannot apply through the program. Ms. Juett stated that the PLUS information has been removed from the website. The AdHoc Committee created to review applications will continue to meet to discuss ways to improve the application process.

### **Succession Planning**

Dr. Deters reminded the Board about the upcoming change in chair. She asked that if anyone is interested in this position to let her know, as she would be happy to assist in training.

### **KPA Convention**

The Board discussed details regarding KPA's request to have the KBEP presentations for the regulatory update and oral exam preparation pre-recorded by October 11<sup>th</sup>.

### **November & December Meetings**

The Board decided that since the KPA Convention is now being held virtually, the November Board meeting does not have to be scheduled on the convention date. The Board decided to hold the Board meeting on Monday, November 8<sup>th</sup>, and decided both the November and December Board meetings should be held virtually due to the current state of the pandemic. Additionally, Dr. Deters suggested ordering stationary for thank you cards to be distributed towards the end of the year. Ms. Juett will follow up on this request.

### **NEW BUSINESS**

#### **Email Questions**

No emails reported.

### **KPA**

Katie McBride, Director of Professional Affairs at the Kentucky Psychological Association, addressed the Board regarding questions and concerns KPA has been receiving. She stated that KPA has been engaging in efforts to have Medicaid reimburse psychology pre- and post- doc interns. Dr. McBride stated that in Kentucky, psychology pre- and post- doc interns are covered, but with limitations. She stated that the current system interferes with recruitment of candidates, especially for candidates from states who do not have a master's level licensure designation or are from graduate programs that preclude or discourage working in outside programs while attending school. Dr. McBride suggested ways to address these concerns, which could include a new KBEP category for internship/postdoc. In this, temporary licensure as a pre- or post-doc intern could have minimal fees and a quicker application process. She also suggested the prioritization of temporary LPA applications from program training sites. Lastly, she suggested changing the regulations to extend the deadline for taking the EPPP, as having to study for and take the EPPP during internship can be burdensome, especially for out of state applicants. She stated ideally, this could cover from the point of internship application date through the potential post-doc date. The Board discussed that the regulations would need to be reviewed on a deeper level to see if the licensure process can be amended to accommodate some of these requests. Additionally, the Board suggested having the individual programs emphasize early application submission to their interns.

### **LICENSURE STATUS REPORT**

The Board reviewed the licensure status report.

### **COMMITTEE REPORTS**

A motion was made by Mr. Gilfert to take the actions recommended by the corresponding committees. Dr. Deters 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 special accommodations for an applicant with a list of accommodation requests. The Examination Committee Chair recommended to approve the accommodation requests within the jurisdiction of the Board, but additional information from ASPPB will be needed to know which requests can be accommodated. The Examination Committee Chair also recommended to accept the new volunteer examiner. Lastly, the Examination Committee Chair recommended to approve the accommodations of an ongoing request after verifying additional information from the applicant's physician.

#### **Disciplined Psychologists Committee**

No report.

#### **Newsletter Committee**

The Newsletter Committee Chair reported that the fall/winter newsletter is being drafted. He stated that he will add the additional information regarding PSYPACT, the PLUS Program sunseting, and the public being able to attend meetings in-person.

#### **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. Hopkins seconded the motion and it carried. Additional board business included:

- **Jean Deters:** August 30, 2021 Complaints work, emails, and ASPPB follow up
- **Brenda Nash:** August 16, 2021 AdHoc Committee meeting; August 26, 2021 legislative meeting regarding amended regulations
- **Joe Dickhaus:** August 16, 2021 Examination Committee and Complaints Screening Committee review, AdHoc Committee meeting
- **Eva Markham:** August 13, 2021 Administering exams; September 10, 2021 Administering exams
- **Jamie Hopkins:** August 13, 2021 Administering exams; August 16, 2021 Continued Education Committee review & AdHoc Committee meeting

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

- **David Lanier:** September 10, 2021; September 13, 2021
- **Bill Elder:** September 10, 2021
- **Patrick Hardesty:** September 10, 2021
- **Cay Shawler:** August 13, 2021; September 10, 2021
- **Tammy Hatfield:** September 13, 2021
- **Rick Grieve:** August 13, 2021; September 10, 2021

#### **SCHEDULE NEXT MEETING**

Monday, October 4<sup>th</sup> at 10:00 a.m.

#### **PUBLIC COMMENTS**

No comments.

#### **ADJOURNMENT**

A motion was made by Dr. Deters to adjourn the meeting at 1:03 p.m. The motion, seconded by Mr. Gilfert, carried.



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Jean Deters, Psy.D. – Chair