

# IOWA BOARD OF PSYCHOLOGY

## MINUTES February 11, 2011

Lucas State Office Building  
5th Floor Room 517  
Des Moines, Iowa 50319

### CALL TO ORDER

Brenda Payne, chair, called the meeting to order at 10:11 a.m. by roll call vote.

#### Members Present:

Brenda Payne, Ph.D; Eugene Glass, Psy.D; Ronelle Langley, Ph.D; Mary Johnson, Ph.D;  
John Dilley, Ed. D; Sarah Henderson, public member

Members Absent: James Moody, public member

#### Staff Present:

Sharon Dozier, board executive; Scott Galenbeck, AAG; Karla Hoover, licensure specialist

#### Public Present:

Sam Graham, representing Iowa Psychological Association

### APPROVAL OF MINUTES

Mary moved and Eugene seconded the approval of the November 5, 2010 minutes as amended. The motion carried.

### REPORTS

#### Board Executive

Sharon Dozier reported that since travel restrictions have been lifted, she plans to attend the Board Administrators and Registrars Meeting/ASPPB Midyear Meeting on April 7 – 10 in Lake Buena Vista Florida. Topics will include issues of exam security and credentials fraud, as well as updates on items of interest by jurisdictions. She noted that ASPPB will provide some reimbursement for a board member to attend the annual meeting October 19 – 21 in Chicago.

#### Bureau Chief

Sharon Dozier reported in the absence of Barb Huey, bureau chief. The vacant executive officer position has been filled by Tony Alden, and Karla Hoover has been assigned to provide licensure support and related assistance to this board.

#### AAG

Scott Galenbeck provided an overview of the hearing process. He noted that once a statement of charges is filed, his role changes from providing advice to the board to representing the state. The role of board members is to serve as judges for the contested case hearing. An administrative law

judge presides at the hearing to assist the board. The process is similar to a courtroom proceeding; however, hearsay is admissible at administrative hearings, and the standard is a preponderance of evidence. Once the board renders a decision it is a decision of the State and the respondent may file an appeal through the court system. Galenbeck emphasized that board members bring their professional expertise to the hearing, even when a peer reviewer has given a report. The peer reviewer may be called as an expert witness at the hearing. A peer reviewer is entitled to legal representation by the state similar to a board member.

#### Chair

Brenda Payne noted that ASPPB has announced an increase in the EPPP fee, to \$600. [This change will be effective March 1, 2013. The current fee of \$450 has been in effect since 2001. ASPPB estimates that since 2000, the cost of providing the exam has increased by more than 27%. ]

Three board members' terms will expire this year: Sarah, Gene and Brenda. All have applied for reappointment. There was discussion about the requirements for balance on the boards, the reappointment process, and the likelihood that Gene and Brenda will not be reappointed though they applied for reappointment. Gene noted he had been asked to submit his application, and that politics are involved. There was concern expressed about communication sent from the IPA during this process. Gene and Brenda stated they want the board to know that they are willing to continue to serve as board members. Both thanked the other board members and expressed appreciation for the opportunity to work together; it was noted that there was consensus by the members on many board issues. Board turnover was also noted as a concern. AAG Galenbeck stated that based on some recent occurrences on other boards, he has looked at the provision in the law for "holdovers" that boards should be made aware of. This provision allows board members to continue to serve until new appointments are made.

Payne noted a request she received from a licensed psychologist on clarification of requirements for redisclosure of protected health information from other providers in patient records. There was discussion of the best means for release of such information. AAG Galenbeck noted that the patient is the owner of the file, but if the board wishes to provide guidance on this topic it would be appropriate to review for possible rulemaking.

#### Committees

Prescriptive Authority: John Dilley reported that Dr. Bethe Lonning plans to attend an upcoming board meeting to provide the board with an update on this topic.

Rules: Brenda Payne requested this report be tabled, as the rules are listed on the agenda

### **ADMINISTRATIVE RULES**

Payne noted that the Rules Committee is recommending rules for prenotice. She asked if everyone has a copy of the rules. Dozier noted that the color copies were only provided to the Rules Committee. Henderson asked if a color copier could be donated. AAG Galenbeck clarified that the state can accept donated equipment.

Payne gave an overview of the recommended rules amendments. The amendments provide clarity in the supervised professional experience requirements. After discussion, additional changes

were made, to clarify that the required 45 hours of individual face-to-face supervision are specific to the period of supervised professional experience. Dr. Sam Graham pointed out that the statement regarding group supervision not counting toward the experience needs to be made specific to the 45 hours required for individual supervision. Payne added that group supervision, though valuable, should not be included in the 45 hours. It was decided to include this clarification in the rules.

The rule listed for notice was reviewed, to remove the requirement to mail renewal notices. Payne noted the Rules Committee had discussed the possibility that some licensees may not have access to electronic notices or may not be members of the IPA to receive a notification. Comments may be provided during the prenotice period.

Henderson reviewed the most recent amendment, to allow applicants who matriculated in a non-APA accredited program prior to June 12, 2005 to be considered for licensure. She noted the recent applicant that submitted a petition for waiver, and was denied due to not having a rule to allow the board to review and approve doctoral programs not currently recognized in the rules.

The board agreed to provide prenotice on the above proposed amendments. The change in the common rules Chapter 4 that deletes the requirement for Robert's Rules of Order is approved for notice. Dozier will send the changes made at today's meeting as prenotice to the IPA and other interested persons. Dozier noted that prenotice provides an additional opportunity for stakeholders to provide comments on rules before the board approves for public notice.

#### **PUBLIC COMMENT**

No formal comments were given since comments were given under the Administrative Rules item.

#### **NEW BUSINESS**

Correspondence was reviewed from Brandon Davis, Ph.D., regarding providing backup services as an off-site supervisor for postdoctoral trainees in Grinnell. Langley reported that the Applications Committee recommends the board approve his request for pre-approval of Dr. Davis as an offsite supervisor in the event a licensed psychologist is no longer employed at Poweshiek County Mental Health Center. Glass noted that the letter is very comprehensive. Following discussion, there was agreement to allow Dr. Davis to serve in this role. Dozier will send a letter to Dr. Davis to clarify that the board agrees with the proposed backup plan, as long as it is understood that trainees will submit the required forms and he will verify the same after he assumes the supervision.

#### **APPLICATIONS**

Langley reported on the Applications Committee recommendations. The application for HSP submitted by Shannon Welch-Groves includes documentation from J. Jeffrey Means, Ph.D.. The committee determined that the documentation is sufficient to determine that the criteria for the organized health service training program are met. Henderson made a motion to approve Dr. Groves for issuance of HSP. Johnson seconded the motion. The motion carried unanimously.

The request submitted by Kerri Clopton, Ph.D. was reviewed. Dr. Clopton requests approval of continuing education credit for a new 3-semester hour course with a 1-credit lab she will teach at UNI. Johnson disclosed that she knows Dr. Clopton, and AAG Galenbeck provided guidance to

clarify that she can vote on the motion if she wishes as long as she is objective. A motion was made by Henderson and seconded by Dilley to approve the request from Dr. Clopton for continuing education credit. The motion carried unanimously. The maximum allowed by rule is 20 hours per biennium.

The petition for waiver of 645— 240.3(3) and 240.3(4); submitted by Feather Gaither, Psy.D., was reviewed. Henderson summarized the petition and referenced the previous waiver from Dr. Gaither that was denied in 2009 because the University of the Rockies is not APA accredited. It was decided to table a final decision on the petition at this time. Dozier was asked to contact Dr. Gaither to make her aware that she could apply to the National Register, and then pursue the application process before the board. She will also be informed of the prenoticed rules that if enacted, would provide the board the opportunity to review programs that are not APA accredited.

The board recessed at 11:55 a.m. The board returned at 12:18 p.m.

### **CLOSED SESSION**

A motion was made by Payne to go into closed session in accordance with Iowa Code section 21.5(1) “a” and “d.” Johnson seconded the motion. Roll call vote of the members present:

Mary Johnson, aye  
Ronelle Langley, aye  
Brenda Payne, aye  
John Dilley, aye  
Eugene Glass, aye  
Sarah Henderson aye

The board moved into closed session at 12:18 pm. The board returned to open session at 1:18 pm. It was noted that Dilley left the meeting at 12:42 pm. The following actions were taken:

Johnson made a motion to close Case 10-009. Payne seconded. The motion carried unanimously. Payne made a motion to close Case 09-006. Johnson seconded. The motion carried unanimously.

### **ADJOURNMENT**

Mary moved to adjourn the meeting, and Sarah seconded. The meeting adjourned at 1:20 p.m.

The minutes were approved by the board on August 5, 2011.