



# Oregon

John A. Kitzhaber, MD, Governor

**Oregon Board of Psychologist Examiners**

3218 Pringle Road SE, Ste. 130

Salem, Oregon 97302-6309

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Oregon.gov/OBPE

## **Public Special Meeting Notice**

April 1, 2013

**3218 Pringle Road SE**

**Salem, OR 97302**

Or by Conference Call:

1-800-504-8071

Code: 3784154

## **PUBLIC SESSION**

**3:00 P.M.**

### **I. INTRODUCTIONS/ROLL CALL**

### **II. MEETING MINUTES**

- 1) February 1, 2013 Regular Meeting Public Session

**Vote:** Approve minutes

### **III. CONSUMER PROTECTION CASES**

- 1) Case #2012-066

**Vote:** Dismiss or Thirty-day Letter

- 2) Case #2012-073

**Vote:** Dismiss or Thirty-day Letter

- 3) Case #2012-074

**Vote:** Dismiss or Thirty-day Letter

- 4) Case #2013-003

**Vote:** Dismiss or Thirty-day Letter

### **IV. CONSUMER PROTECTION CONSENT AGENDA**

**Vote:** Approve Consumer Protection Consent Agenda

## **V. THIRTY-DAY INVESTIGATION EXTENSIONS**

2010-110, 2012-030, 2012-040, 2012-050, 2012-053, 2012-054, 2012-057, 2012-061, 2012-063, 2012-066, 2012-067, 2012-068, 2012-069, 2012-070, 2012-071, 2012-072, 2012-073 & 2012-074.

**Vote:** Grant investigation extensions pursuant to ORS 676.165(4)

## **VI. COMMITTEE APPOINTMENTS**

1) Consumer Protection Committee

**Vote:** Appoint Anne-Marie Smith

2) Education Committee

**Vote:** Appoint Fran Ferder and Sandra Jenkins

## **VII. ADMINISTRATIVE RULEMAKING**

Rule change which will modify the in-residence requirement for applicants who enrolled in their program prior to August 12, 2011

**Vote:** Submit for public comment a Notice of Proposed Rulemaking

## **VIII. VOTE TO APPROVE LICENSES**

Alex R. Z. Bloom, Psy.D.; Gretchen C. Lemmon, Psy.D.; Jennifer R. Hightower, Ph.D.; Laura D. Milner, Psy.D.; Mary E. Rankin, Ph.D.; & William D. Meek, Ph.D.

## **ADJOURN**

# Public Session Board Meeting Minutes

**February 1, 2013**  
3218 Pringle Road SE  
Salem, OR 97302

**Members Present:** Shane Haydon, Ph.D., Chair  
Fran Ferder, Ph.D., Vice Chair  
David Wade, Psy.D.  
Daniel Munoz, Ph.D.  
Linda Sherman, Ph.D.  
Kent Anderson, Public Member  
James Hendry, Public Member

**Excused:** Roger Carlson, Ph.D.  
Lawanda Manning, Public Member

**Legal Counsel:** Warren Foote, AAG

**Staff:** Becky Eklund, Interim Executive Director  
Karen Berry, Investigator  
LaRee Felton, Program Analyst  
Ashlie Rios, Office Specialist

**Guests:** Nancy Taylor Kemp, Ph.D., OPA Liaison  
Opal Bontrager, DAS Accountant  
Jenny Carson-Phillips, DAS Accountant  
Jason Wells, License Applicant  
Christian Wolff, Licensed Psych. Associate  
Jim Gardner, Gardner & Gardner

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## **INTRODUCTIONS/ROLL CALL**

Dr. Haydon called the Board of Psychologist Examiners Public Session meeting to order at 1:03 p.m. on Friday, February 1, 2013, at the Board's office at 3218 Pringle Road SE, Salem, Oregon 97302.

## **FINANCIAL UPDATE**

Opal Bontrager and Jenny Carson-Phillips from Department of Administrative Services, Shared Client Services (the Board's accountant) reported on OBPE's 2011-2013 budget with revenue and expenditure projections through the end of the biennium. According to the data, the OBPE is within budget.

## **PUBLIC COMMENTS**

Christian Wolff, Licensed Psychologist Associate, expressed his concern for psychologist associates and equal opportunity for them to fall under the Licensure by Endorsement Rule. He would like to see more inter-state mobility for psychologist associates.

## **MEETING MINUTES**

November 16, 2012 Regular Meeting, Public Session

Jim Hendry moved and Fran Ferder seconded a motion to accept the minutes as submitted. The motion passed unanimously.

## **CONSUMER PROTECTION CASES**

**Case #2009-030 & 2010-106:** Kent Anderson moved and Linda Sherman seconded a motion that the supervision of both licensees be removed. The motion passed unanimously.

**Case #2009-057 & 2011-042:** Jim Hendry moved and Fran Ferder seconded a motion to issue a Notice of Proposed Disciplinary Action with a \$ 10,000 fine. Roll Call: Munoz-aye; Sherman-aye; Anderson-aye; Hendry-aye; Ferder-aye; Haydon-aye; Wade-nay. The motion passed with one nay vote.

**Case #2011-038:** Jim Hendry moved and Fran Ferder seconded a motion to issue a Notice of Intent to Impose Civil Penalty in the amount of \$ 5,000. The motion passed unanimously.

**Case #2011-037:** Jim Hendry moved and Fran Ferder seconded a motion to issue a Default Final Order with a \$ 2,500 fine. Roll Call: Munoz-aye; Sherman-aye; Anderson-aye; Hendry-aye; Ferder-aye; Haydon-aye; Wade-nay. The motion passed with one nay vote.

**Case #2011-064:** Fran Ferder moved and Jim Hendry seconded a motion to issue a Notice of Proposed Disciplinary Action with a \$ 2,500 fee. The motion passed unanimously.

**Case #2012-015:** Jim Hendry moved and Linda Sherman seconded a motion to dismiss with a letter of concern. The motion passed unanimously.

**Case #2012-014:** Kent Anderson moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

**Case #2012-016:** Fran Ferder moved and Linda Sherman seconded a motion to dismiss. The motion passed unanimously.

**Case #2012-023:** Kent Anderson moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

**Case #2012-026:** Fran Ferder moved and Linda Sherman seconded a motion to dismiss. The motion passed unanimously.

**Case #2012-043:** Fran Ferder moved and David Wade seconded a motion to dismiss with a letter of concern. The motion passed unanimously.

**Case #2012-052:** Kent Anderson moved and Linda Sherman seconded a motion to dismiss. The motion passed unanimously.

**Case #2012-053:** Jim Hendry moved and Fran Ferder seconded a motion to issue a 30-Day letter. The motion passed unanimously.

**Case #2012-056:** Linda Sherman moved and Fran Ferder seconded a motion to dismiss with a letter of concern. The motion passed unanimously.

**Case #2012-058:** Kent Anderson moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

**Case #2012-062:** Linda Sherman moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

**Case #2012-064:** Fran Ferder moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

**Case #2012-067:** Jim Hendry moved and Kent Anderson seconded a motion to issue a 30-Day letter. The motion passed unanimously.

**Case #2012-068:** Fran Ferder moved and Linda Sherman seconded a motion to issue a 30-Day letter. The motion passed unanimously.

**Case #2012-055:** Kent Anderson moved and Jim Hendry seconded a motion to dismiss. The motion passed unanimously.

**Case #2012-059:** Fran Ferder moved and Kent Anderson seconded a motion to dismiss. The motion passed unanimously.

### **THIRTY-DAY INVESTIGATION EXTENSIONS**

Jim Hendry moved and Kent Anderson seconded a motion to grant extensions in the following cases. The motion passed unanimously.

2009-057, 2010-110, 2011-038, 2011-042, 2012-014, 2012-015, 2012-016, 2012-023, 2012-026, 2012-030, 2012-040, 2012-043, 2012-050, 2012-052, 2012-053, 2012-054, 2012-055, 2012-056, 2012-057, 2012-058, 2012-059, 2012-061, 2012-062, 2012-063, & 2012-064.

### **REPORTS FROM COMMITTEES**

#### **1. Licensing Committee**

Board staff reported that 86% of the license audit cases are resolved.

#### **2. Education Committee**

Education Committee received a few clarifying questions from the Laws & Rules Committee. They reviewed, answered, and sent them back. They also discussed the difference between practicum and internship and advised Board staff that if an applicant does not meet the “Internship” requirements from their graduating University, then they can be held to the practicum standards.

#### **3. Law & Rules Committee**

The Laws & Rules Committee reported that their last meeting involved reviewing and cleaning up any complications and language in our rules. No substantive changes were made but made for more efficient enforcement. The proposed administrative rules include more definitions to be more user friendly. Board staff also noted that the committee added new DSM terms & definitions and that an application could not be approved if a complaint is opened against them.

### **ADMINISTRATIVE RULEMAKING**

#### **Proposed Rule Caption: Modifies requirements for licensure by endorsement, education and exam; clarifies criteria for complaint rejection.**

Kent Anderson moved and Linda Sherman seconded a motion to adopt the new proposed rule with additions that 1) 858-010-002(8) delete the dates, 2) 858-020-0025 delete the last sentence, and 3) 858-020-0105 delete the last sentence. The motion passed with one abstention from David Wade.

## **PUBLIC COMMENTS**

Jim Gardner, Gardner & Gardner, addressed the Board regarding regionally accredited schools and their students who are/will apply for licensure in Oregon. He asked for the Board's consideration regarding the applicants who are stuck in the "pipeline" and allow rule exceptions for those applicants.

## **LEGISLATIVE ISSUES**

Ms. Eklund distributed a summary of bills before the legislature that would affect psychologists or the Board. The Board's budget is scheduled for a public hearing on Tuesday, February 12, 2013; Becky Eklund and Shane Haydon will present testimony about the Board and its proposed budget..

## **CATEGORY B**

Fran Ferder reported on a possible interim rule that addresses applicants that have fallen through the cracks. This rule would apply to new graduates who began their graduate psychology studies prior to January 2012 and whose educational program does not meet the current educational rules passed in September 2011. The Board discussed the pros and cons and decided that the Laws & Rules Committee needed to review this document further and draft a rule that was clean and clear before voting.

## **VOTE TO APPROVE LICENSES**

Jim Hendry moved and Linda Sherman seconded a motion to approve licenses issued since the November 2012 Board meeting. The motion passed unanimously.

## **STATISTICS**

Board staff reported on 2012 statistics for the OBPE regarding licensees and applicants.

Adjourned at 2:47 p.m.

*Respectfully Submitted:*

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**Becky Eklund, Interim Executive Director**

**Date**

## 858-010-0010 Education Requirements — Clinical Psychology

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(2) Possess a doctoral degree in psychology from:

(a) A program at an institution of higher learning that was accredited by a regional accrediting agency as of the date the degree was awarded;

(b) For Canadian universities, an institution of higher education that is provincially or territorially chartered; or

(c) A foreign program evaluated to be equivalent to American Psychological Association accreditation as of the date the degree was awarded. Evaluation must be completed by a credentialing body recognized by the Board. Submission of proof of foreign degree equivalency and cost of the foreign degree equivalency determination are the responsibility of the applicant.

(3) An applicant who possesses a degree under section (2) must show that his or her doctoral program in psychology meets all of the following requirements:

(a) A minimum of three academic years of full-time graduate study.

(b) A minimum of one continuous year in residence at the institution from which the degree is granted.

(A) One continuous year means two consecutive semesters or three consecutive quarters.

(B) In residence means physical presence, in person, at an educational institution or training facility in a manner that facilitates acculturation into the profession, the full participation and integration of the individual in the educational and training experience, and includes faculty and student interaction.

(C) The doctoral program may include distance education, but a minimum of one continuous year of the program shall be in-residence. Programs that use physical presence, including face-to-face contact for durations of less than one continuous year, (e.g., multiple long weekends and/or summer intensive sessions) or that use video conferencing or other electronic means as a substitute for physical presence at the institution in order to meet the residency requirement are deemed not to be acceptable for licensure.

(D) Training models that rely exclusively on physical presence for periods of less than one continuous year (e.g., multiple long weekends and/or summer intensive sessions) or that use video conferencing or other electronic means as a substitute for physical presence at the institution do not meet the in residence requirement.

(E) Effective through August 12, 2015, applicants who can verify that they enrolled in their program prior to August 12, 2011 may apply under the "old rule" definition of in-residence. Under this provision, one continuous year means a minimum of 500 hours of student-faculty contact involving face-to-face individual or group educational meetings. Such educational meetings must include both faculty-student and student-student interaction, be conducted by the psychology faculty of the institution at least 90 percent of the time, be documented by the applicant and the institution, and relate substantially to the program components specified. Items such as receptions, meals, group socials and library tours may not count towards the minimum 500 hours of educational meetings. Applicants applying under this provision shall submit full documentation that they have met this requirement, which must include a detailed description of the content of the 500 hours of educational meetings and be verified by the administration of the doctoral program.