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Vacant Position
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A Word from the Executive Director

Greetings! In my last article, I mentioned the importance of having in place a Qualified Person (Psychologists) and a Custodian of Record (LPCs and LMFTs). We have been making progress in reducing the number of practitioners who didn't have a QP or CoR listed in the event of death or incapacitation. Although we are making progress, there are still practitioners who do not have a QP or a CoR listed with the Board. For those licensees who have taken care of this important issue, thank you. If you have not taken care of this, please do so immediately and don't leave your clients unprotected. In this newsletter, you will find a new resource that will be helpful. BOP Board member, Dr. Linda Nishi-Strattner, Psychologist, has created a helpful guideline for practitioners. Thank you to Dr. Nishi-Strattner!

Our two Boards, as well as several other state Boards, have embarked upon a project that we have been wanting to address for quite some time. In June, 2018 we hope to launch a new website. LaRee Felton, Policy Analyst/Licensing Manager, is working with the state Enterprise Technology Services (ETS) on a website migration project and is committed to this project for one day per week through the launch of the new website in June. The new website will offer a more secure platform, be mobile friendly, and better organized. A survey has been sent out to a sample of licensees to gather feedback on some design criteria.

The next Senate confirmation hearing for new Board members will happen sometime in May. The BOP continues to seek applicants for both Psychologists and Public Members as current members' terms come to an end. The BLPCT is fully staffed with Board members at this time. If you are interested in serving, or know of someone who is interested, then please consider applying. Board members who have completed their terms have told me that serving is a very enriching and rewarding experience. Board members have a unique opportunity to maintain high standards for the Psychology, Counseling, and Licensed Family and Marriage Therapy professions while at the same time helping to protect the public. I am attaching a link that explains How to Apply. [How to Apply](#).

Charles Hill

Executive Director, Mental Health Regulatory Agency

“Plans are nothing, but planning is everything” – Dwight D. Eisenhower

In this Issue

A Word from the E.D.	1
Admin. Rulemaking	2
QP Resource	2
Legislative Update.....	3
Reporting Req.....	3
Enforcement Actions	4-5
Upcoming Events	5

Administrative Rulemaking

APPLICANTS AND RESIDENCY SUPERVISORS *in particular*- PLEASE READ!

The Board filed the following permanent administrative rule amendment on March 12, 2018:

Resident supervision contract requirements; post-degree supervised work experience for psychology licensure.

This adds a requirement that post-degree supervised work experience completed in Oregon on or after August 1, 2018 must be in a Board-approved resident supervision contract in order for the experience to qualify towards the one year of post-doctoral supervised work experience required for licensure. This means that work completed at an Oregon “exempt site” outside of a residency contract will no longer count towards the experience requirement for licensure. Post-doctoral supervised work experience completed prior to August 1, 2018 under exemption from ORS 675.010 to 675.150 but not in a Board approved Resident Supervision Contract may qualify towards the one year of post-doctoral supervised work experience required for licensure. The amendment requires that Record of Supervised Hours and Final Resident Evaluation report be provided to the Board within 30 days of the conclusion or termination of the contract. It also clarifies the title usage in exempt sites and the Board’s authority to approve or reject residency contracts.

!!! ATTENTION !!!

- Final residency documents are due within 30 days.
- Resident Supervision Contracts are required after August 1, 2018.
- Interim Resident Evaluations are no longer required unless specifically requested by the Board.

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Reminder: Interim Resident Evaluation

The Board will no longer be requesting that this form be completed for all residencies and submitted every six months. It will only be required for those who are specifically requested to submit an interim resident evaluation. Supervisors should still periodically evaluate residence performance, and this form will remain available on our [website](#) as a tool for your use. Supervisors are responsible for promptly reporting professional or ethical concerns regarding a resident’s conduct or performance to the Board. Also, note that the form has been revised so that it aligns with the Final Resident Evaluation Form with scaled choices rather than just yes/no/N/A for each item. Ψ

New Resource! Qualified Person Designation

You will now find on the Board’s [Qualified Person & Professional Wills Webpage](#) a new resource created by Board Member Dr. Linda Nishi-Strattner. The document provides a helpful guideline that lists the type of information that your qualified person may need to access, including email address(es) and passwords, location of keys and records, and arrangements for reimbursement for time and expenses related to taking possession of your clinical records. There is also a template Qualified Designated Person Agreement form. Ψ

Legislative Update: Senate Bill 760

Abuse Reporting for Adults with Mental Illness or Developmental Disabilities

As you know, a psychologist (or resident) is considered a “public or private official” and therefore a “mandatory reporter” of the abuse of mentally ill or developmentally disabled adults. Previously, under ORS 430.765, reporting was only required when the psychologist came into contact with the abused person or the abuser in their *official capacity* as a psychologist. Now, as of January 1, 2018, [Senate Bill 760 \(2017\)](#) has changed the statute so that public or private officials must also report abuse when the contact occurs *outside* of their official capacity. This change aligns the reporting requirement with that of child and elder abuse under Oregon law. Ψ

Board Reporting Requirements

Summary of major reporting requirements of BOP licensees, residents, and applicants.

What must be reported	Timeline	Reference
A licensee or resident who has reasonable cause to believe that another licensee/resident, etc. has engaged in prohibited or unprofessional conduct shall report the conduct to the board responsible for the person who is believed to have engaged in the conduct.	Without undue delay, but in no event later than 10 working days after learning of the conduct.	ORS 675.145; 676.150 (2)
Licensees and residents self-report to the Board: 1) misdemeanor or felony convictions, and 2) felony arrests.	Within 10 days after the conviction or arrest.	ORS 676.150(3)
Complete and accurate responses to all of the Board’s Character and Fitness questions.	On application and at renewal.	OAR 858-010-0034(3) (a); 858-010-0041(1)(a)
Licensees notify the Board in writing of changes to public or mailing address, telephone number, or name.	Within 30 days of the change.	OAR 858-010-0061
Applicants notify the Board if any information submitted on the application changes, including but not limited to: name, address, email address, telephone number, complaints, disciplinary actions, litigation, criminal involvement, and employment investigations which results in disciplinary action.	Immediately, but not less than within 30 days.	OAR 858-010-0020(5)
Residents and residency supervisors must notify the Board and explain any interruptions or proposed termination of the Resident Supervision Contract.	Promptly; within 14 days.	OAR 858-010-0036(4) (f); (5)(f)
Residency supervisors must notify the Board of professional or ethical concerns about a supervisee.	Promptly.	OAR 858-010-0036(5) (e)

Recent Enforcement Actions

During the period of time from January 6, 2018 to April 11, 2018, the Board took the following actions:

Ian Nelson, Psy.D. (Applicant), **DEFAULT ORDER**, effective 1/12/18. Applicant represented himself to be a “Psychologist Resident,” “Psychologist” and a “Clinical Psychologist” prior to Board approval, in violation of ORS 675.070(2)(h) and ORS 675.020(1)(b). The Board issued a default order on January 12, 2018 that ordered Applicant to pay a \$500 civil penalty.

David T. Bice, Ph.D. (Licensee), **REVISED FINAL ORDER ON REMAND**, effective 3/9/18. On October 8, 2012, the Board issued a Final Order that reprimanded Licensee, ordered him to complete coursework on informed consent, and required him to practice under supervision for at least one year. The Board concluded that licensee engaged in unprofessional conduct in violation of ORS 675.070(2)(d), and violated Ethical Standard (ES) 2.01 Boundaries of Competence, ES 3.04 Avoiding Harm, and ES 10.01 Informed Consent. On November 27, 2012, Licensee requested judicial review of the Final Order by the Oregon Court of Appeals. On May 17, 2013, the Board granted Licensee’s request for a stay of the Final Order. On October 19, 2016, the Oregon Court of Appeals issued an opinion that reversed and remanded the Final Order to the Board. Based upon the remand, the Board reconsidered the sanction set forth in its original order. On May 26, 2017, the Board issued a final order that set aside other sanctions but affirmed Licensee’s reprimand based on a violation of Ethical Standard 3.04 (avoiding harm) and ORS 675.070(2)(d)(A) (immoral or unprofessional conduct). On March 9, 2018, the Board issued a Revised Final Order on Remand and concluded that by kissing the client on the cheek, Licensee’s actions constituted a violation ORS 675.070(2)(d)(A). The Board also approved the Licensee’s request to stay the reprimand pending court review.

David Gleave, Psy.D. (Licensee), **STIPULATED ORDER**, effective 3/14/18. Licensee was arrested for patronizing a prostitute as part of a prostitution sting operation and pled guilty to unlawful prostitution procurement activities, a misdemeanor. The Board found that Licensee engaged in unprofessional conduct and engaged in conduct that would bring discredit to the profession in violation of ORS 675.070(2)(d)(A). Licensee also violated ES 2.06(a), (b) and ES 3.04 by failing to recognize how his own personal problems would impact his work and failing to take reasonable care to avoid harming his clients. Licensee and the Board agreed to close the investigation with the entry of a Stipulated Order. Licensee is suspended from practice for 180 days (60 days stayed); ordered to pay a \$2,000 civil penalty. Licensee may only return to practice under a supervisor for a minimum of one year, is placed on probation for two years, and must continue in personal therapy.

James Hamer, M.S. (Respondent), **STIPULATED ORDER**, effective 3/14/18. Respondent was previously investigated in 2015 for allegations of unlicensed practice of psychology. The Board dismissed that complaint because the Respondent represented that he was acting in his capacity as a certified sex offender therapist and employed as a QMHP. The Board received another complaint in 2017 and the Board discovered the Respondent was actually in private practice in Hood River and was not exempt dating back to at least 2015. Respondent violated ORS 675.020(1)(a) by engaging in the unlicensed practice of psychology. The Respondent and the Board agreed to close the investigation with the entry of a Stipulated Order. Respondent was ordered to pay a civil penalty of \$5,000.

David McNamara, Psy.D. (Licensee), **STIPULATED ORDER**, effective 3/14/18. The Board opened an investigation after receiving a complaint alleging the Licensee failed to compare psychological test results with well recognized published normative samples for custody litigants. As a result, Licensee erroneously interpreted a client’s test scores and did not reach an evidence based conclusion. The Board found that Respondent violated ORS 675.070(2)(d)(A), ES 2.01, ES 2.04, ES 3.04, ES 9.06. Licensee and the Board agreed to close the investigation with the following terms of discipline: reprimand, \$1,000 civil penalty, and a minimum of 6 months of supervision.

Continued on next page...

Enforcement Actions Continued

Paul J. Moberg, Ph.D. (Respondent), **STIPULATED ORDER**, effective 3/14/18. Respondent holds an active license to practice psychology in Pennsylvania, however, not in Oregon. Respondent did not apply for a temporary practice permit but met with Client A, who was incarcerated in the Oregon State Penitentiary. On two separate occasions Respondent met with Client A for the purpose of conducting a comprehensive clinical neuropsychology and anthropometric assessment. Each encounter represents an occasion of unlicensed practice of psychology. Respondent subsequently testified in court regarding his assessments. Respondent violated ORS 675.020(1) and (2) by engaging in the unlicensed practice of psychology. Respondent and the Board agreed to close the investigation with the entry of a Stipulated Order. Respondent was ordered to pay a civil penalty of \$3,500.

Todd Ransford, Ph.D. (Licensee), **STIPULATED ORDER**, effective 3/14/18. The Board opened an investigation after receiving another complaint alleging the Licensee delayed preparing a child custody and parenting evaluation. The Board found, based on the Licensee's history and the merits of the current complaint, that the pattern was cause for disciplinary action. Licensee and the Board agreed to close the investigation with the following terms of discipline: \$2,000 civil penalty and an indefinite restriction from performing child custody evaluations after 3/14/18.

Muoi Nguyen, Psy.D. (Applicant), **DEFAULT ORDER**, effective 3/15/18. Applicant submitted an application for licensure and a proposed contract to become a postdoctoral resident. Applicant was notified that her application file was missing certain documents, and Applicant failed to provide the required documents. Applicant's application and contract were not approved, yet she worked in a clinical setting as a psychologist fellow. By doing so, Applicant engaged in the unlicensed practice of psychology in violation of ORS 675.020(1) and (2). The Board issued a Default Order requiring Applicant to pay a \$1,000 civil penalty.

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Upcoming Events 2018

April

4/9: Social Media Committee Meeting
 4/13: Oregon Jurisprudence Examination*
 4/19: Consumer Protection Committee Meeting
 4/20: Education Committee Meeting

May

5/4: Oregon Jurisprudence Examination*
 5/7: Social Media Committee Meeting
 5/11: **Board Meeting**
 5/18: Education Committee Meeting
 5/28: Office Closed for Memorial Day

June

6/4: Social Media Committee Meeting
 6/8: Oregon Jurisprudence Examination*
 6/15: Education Committee Meeting
 6/21: Consumer Protection Committee Meeting

July

7/2: Social Media Committee Meeting
 7/4: Office Closed for Independence Day
 7/6: Oregon Jurisprudence Examination*
 7/13: **Board Meeting**
 7/20: Education Committee Meeting

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OBOP News is the official newsletter of the Oregon Board of Psychology and is edited by board staff. Please visit our website at www.Oregon.gov/obpe, email, or contact us with any comments or suggestions.

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Reminder! Please make sure to update your email address if it changes so that you continue to receive correspondence. Notify us right away- but not more than 30 days- of any change in your contact information.

Please use our [Contact Information Change Form](#) Ψ