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A Word from the Executive Director

Summer is over and we are entering into the fall and winter seasons. Where did our summer go? I had so many things on my list to accomplish this summer and only managed to get about half of the items checked off. Hopefully, if you are reading this newsletter, you fared better than I did!

This summer has been quite active with a steady amount of applications coming in and new licensees to review and process. Both the BOP and the BLPCT are running slightly ahead of last year's numbers. As of the time of this article, we have processed 107 BOP new licenses and 450 BLPCT new licenses. We have received 799 new applications so far. This is typically our busy time of the year and we appreciate everyone's patience. Not everyone is patient, however, and it's not unusual for our office to get multiple calls from applicants, and/or supervisors wondering if their paperwork is processed, even when we may have received the last of their material only yesterday. If you are an applicant, please remember that we have a process, which includes a background check by the Oregon State Police, and we do not control their timeline. Please plan and allow for up to 2-3 weeks for our staff to complete the process once your final paperwork is in our hands. I must say, I am very proud of our licensing staff and their dedication and hard work. The time it takes to process new licenses is a key performance measure (KPM), and KPMs get reported to the Legislature. I'd like to share a memo that our Licensing Manager, LaRee Felton sent to her licensing staff just this week.

Congratulations Licensing Team!

In 2018, we took an average of just 3 calendar days to approve applications from the time the file was complete, for both boards. This is much better than our goal of 15 days for our new Key Performance Measure, "Efficient Application Processing."

We accomplished this through quick work by the program specialist to turn completed files over to the approver (licensing specialist or intake coordinator), and then speedy processing to review files by the approver. This requires effective communication, attention to detail, and fast (but thorough) effort to serve our stakeholders. Keep up the good work!

On another note, I'd like to give everyone an update on our Database project. I've dedicated a more detailed article on the entire project in this newsletter for anyone interested in the project history. The title of the article is: Times, They Are A-Changin'. I was reminded of the old Bob Dylan song as I was writing this article. Hopefully, by the end of this year, we will be implementing our new system which is sorely needed. Our old system which I affectionately refer to as T-Rex will soon be laid to rest! And, not a day too soon. The new system will be much more streamlined and efficient and we in the office are very much looking forward to modernizing. Mainly, I just want to give everyone a heads-up that soon we will begin the implementation process. As we get closer and as we can pin down an exact date when we roll-out the system, we will be communicating this through our website and emails. We want to minimize any inconvenience to our licensees, interns and applicants, so be watching for updates.

- Charles Hill, Executive Director, Mental Health Regulatory Agency

"Times, They Are A-Changin'" — Bob Dylan Ψ

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TIMES, THEY ARE A-CHANGIN

Upon arriving on the scene in March 2015, it soon became apparent that our two boards were speaking different languages, and by that I mean with regards to how the BOP and the BLPCT enters and stores licensee data. Both Boards were utilizing the services of a company called Confuzer for their desktop and IT support, which included database support. The owner of Confuzer had started his business while still in college back in the early 2000's and over time, grew his business to support several Boards and Commissions. Confuzer developed a proprietary database off of the FoxPro platform and several Boards became dependent on his services. While the BLPCT operated the FoxPro database, the BOP utilized a database developed off of a 2003 version of Microsoft Access. Confuzer continued to grow his business and now operates internationally. On September 12, 2016, Governor Brown signed into law [Executive Order \(EO\) 16-13](#) which began the unification of cyber security in Oregon. Under EO 16-13, the State Chief Information Officer (CIO) transferred agency IT security functions and employees to the Office of the State CIO (OSCIO). The intent of EO 16-13 of course was to unify cyber security for state agencies while reducing the risk threat of cyber-attack to state IT systems. Confuzer's business had grown to international proportions and in 2016, we were notified that Confuzer no longer wanted to support our desktop and IT needs. Several small Boards and Commissions now were in a position of finding a suitable replacement for Confuzer. Thus began the 2+ year effort to find a replacement for our desktop support and IT needs.

From 2016 through 2018, I was involved in several meetings with several state Boards, the OSCIO and state procurement to try to solve our IT dilemma. Each Board has their own responsibility for finding suitable IT support, so consequently, we were not always on the same page with other Boards for solving our own IT problems, although, we were all in the same boat, in that we were all looking to replace Confuzer. Through the procurement process, we were finding out that getting a reputable IT contractor was going to be expensive. Because we had the advanced notice from Confuzer that they no longer wanted to be our IT provider, I was able to plan and get approximately \$90,000 built into our 2017-2019 MHRA budget and approved through the legislature. Ultimately, the MHRA decided to separate our desktop and database IT support into two separate and manageable solutions. In 2018, the MHRA opted to utilize the Department of Administrative Services (DAS) IT for our desktop support. In 2018, we also sought out the services of Seattle based iTrellis, LLC to help us to develop our business needs relating to a data base. iTrellis assisted us with the architecture needed and we were able to develop a Business Case and Scope of Work to be included in a RFQ (Request for Quote). The database support business for state licensing agencies has been an evolving cottage industry over the past 3-5 years, and our search for database support led us to three companies that were interested in bidding for our database project. On December 21, 2018 we invited three companies to bid on our database project: Big Picture, InLumon and Thentia. During the vetting process, we were working closely with the OSCIO to make sure that our chosen contractor met all of the state cyber security requirements. In April 2019, we signed a contract with Thentia to begin the work of developing and implementing our new database project.

Once the contract was signed with Thentia, we had a series of meetings with our licensing and compliance staff along with technical staff from Thentia to begin mapping out our business needs. In July, 2019, data from the Confuzer FoxPro database was migrated over to Thentia so that they could begin sanitizing and incorporating the data into the data fields of the new system. Once the data has been completely installed into the Thentia system, we will begin the process of migrating the old systems. The timeline to complete this project is by the end of November 2019; however, we know that we could be delayed due to the technical complexity of this work. All total, we are dealing with approximately 9000 licensees, interns and applicants for BOP and BLPCT. The price tag for this project will be approximately \$90,000 and the service life for the database will be 5 years at which time we will have the opportunity to continue with Thentia. Because the MHRA is one Agency, we were able to take advantage of the fact that we needed just one database. Otherwise, the two Boards would have had to purchase separate systems.

The new database will allow efficiencies in licensing which we presently do not have. I feel that at the current time, we are still in the stone ages. Our old database systems are clunky and prone to breaking down, forcing us to utilize numerous spreadsheets and to do many things manually. Of course, we are subject to more human error due to the mechanical nature of our present system. For BOP, we will be going to an electronic payment system, which will be more convenient for licensees. We envision getting away from paper checks entirely. This means that BOP staff will no longer need to open volumes of mail and manually process checks the old fashioned way. BLPCT has been on an electronic payment system for a couple of years now, so this electronic payment system will not be new to most BLPCT licensees. With regards to Continuing Education, I envision licensees for both Boards being able to enter their CE's into a licensee portal while uploading their CE certificates. For Board staff, this means not having to deal with much handwritten CE audit material. The new database will be able to send out electronic renewal notices to licensees. No longer will staff be printing off renewal reminder letters, stuffing and licking envelopes. Needless to say, we are excited about the new database, but at the same time, we are a little nervous about implementing the new system.

The purpose of this article is to inform licensees that "[Times, They are A-Changin](#)". We will be rolling out the new system soon, so be watching our website for notifications and timelines. We recognize that any time there is change, there are questions and sometimes confusion. We desperately need to update our database system to keep up with the times, and during the implementation phase, we want to minimize any inconvenience to our licensees.

- Charles Hill, Executive Director, Mental Health Regulatory Agency Ψ

ENFORCEMENT ACTIONS

During the period of time from July 13, 2019, to October 12, 2019, the Board took the following actions:

Kathleen F. Moore (Respondent), STIPULATED ORDER, effective September 13, 2019. Respondent is not licensed by the Board to practice psychology in the State of Oregon, and does not hold a license in any health care profession in the State of Oregon. The Board found that Respondent has engaged in the unlicensed practice of psychology in Oregon by performing suicide risk assessments and diagnosing certain mental disorders. Respondent violated ORS 675.020(1)(a) and (b), and was ordered to pay a civil penalty of \$5,000.

Thomas Deshler, Ph.D. (Licensee), STIPULATED ORDER, effective September 13, 2019. Licensee met with Patient A, an adult male with a history of domestic abuse toward his spouse, Subject B. Much of Licensee's therapy was intended to help Patient A with anger management. Licensee invited Subject B to attend four of these sessions, and Subject B agreed to do so. During a session, Subject B spoke about Patient A's history of domestic abuse towards her and that she (and their children) felt afraid of him when he was angry. During the four sessions, Subject B expressed fear for the life and safety of her and her children, but Licensee did not address, acknowledge or affirm the fear and safety concerns raised by Subject B, nor provide her with any referrals. Licensee noted in a chart note, that Subject B was looking for affirmation that refusing to be intimate with Patient A was based on his anger and his persistent demands, but did not address this issue with Patient A during the therapy session, nor in any follow-up with Subject B. Licensee violated ORS 675.070(2)(d)(A), ES 2.01 and ES 3.04. Licensee was placed on probation for a minimum of 18 months, ordered to practice under supervision for a minimum of 18 months, to complete 10 additional hours of continuing education addressing domestic violence and collateral therapy, to create and institute an office policy to address domestic violence, collateral therapy and ruling out danger to children and to pay a \$10,000 civil penalty of which \$5,000 is stayed contingent on Licensee's full compliance with the terms of the Order.

Deborah White, Ph.D. (Licensee), STIPULATED ORDER, effective September 13, 2019. Licensee and another Oregon licensed psychologist jointly signed a letter in which they identified themselves as clinical psychologists. In the letter, Licensee described the subject of the letter as being emotionally unstable with "clearly unresolved damage." This letter provided an opinion regarding certain psychological characteristics of the subject, which had the potential of negatively affecting the employment status and reputation of the subject. Neither Licensee nor the co-signer of the letter conducted a psychological evaluation of the subject of the letter. Licensee violated ORS 675.070(2)(d)(A) and ES 9.01(b). Licensee was reprimanded and ordered to pay a civil penalty of \$1,000.

Loren Mallory, Ph.D. (Licensee), STIPULATED ORDER, effective September 13, 2019. Licensee and another Oregon licensed psychologist jointly signed a letter in which they identified themselves as clinical psychologists. In the letter, Licensee described the subject of the letter as being emotionally unstable with "clearly unresolved damage." This letter provided an opinion regarding certain psychological characteristics of the subject, which had the potential of negatively affecting the employment status and reputation of the subject. Neither Licensee nor the co-signer of the letter conducted a psychological evaluation of the subject of the letter. Licensee violated ORS 675.070(2)(d)(A) and ES 9.01(b). Licensee was reprimanded and ordered to pay a civil penalty of \$1,000.

Arlen S. Craig, Ph.D. (Respondent), STIPULATED ORDER, effective September 13, 2019. During several sessions in the course of therapy with Client A, an adult female, Respondent would hold Client A's hand and touch her lower back. During the course of therapy, Respondent engaged in flirtatious behavior with Client A. Following the termination of therapy, Respondent began to communicate with Client A using a personal email address. Respondent and Client A began to meet at Starbucks, and on occasion, meet in Respondent's car and drive to a secluded area and engage in encounters that included physical acts of intimacy. Respondent violated ORS 675.070(2)(d)(A), ES 3.04, ES 3.05, ES 10.05 and ES 10.08. Respondent's license to practice psychology in the State of Oregon was revoked and he was ordered to pay a civil penalty of \$5,000.

Todd E. Ransford, Ph.D. (Licensee), STIPULATED ORDER, effective September 13, 2019. Licensee was appointed by the Clackamas County Circuit Court to develop a family reunification plan for reconciling the relationship between Patient A (the father) and Patient B (the daughter). Licensee was also tasked to implement and oversee the family reunification plan, which would involve the participation of the mother and former spouse, Patient C, and thereafter implement and oversee the reunification plan. After initiating therapy contact with all three Patients, Licensee failed to contact Patient A, B or C. Patient A's therapist called Licensee and left a voice message, but received no response. Licensee also failed to respond to an email sent to him by Patient C's therapist, and a voicemail. Licensee was aware of the efforts made by Patient A's therapist to contact him, but did not return the phone calls or email. Licensee states in his response to the Board that the initial delays in providing treatment to this family were a function of Patient B's unwillingness to meet with her father, but that the lack of progress in the fall of 2018 "...was my fault." Licensee failed to meet with Patients A, B or C throughout the remainder of 2018 and early 2019. On February 27, 2019, due to the lack of response by Licensee and an apparent termination of services, Patient A filed an affidavit with the court asking for a new reunification therapist. Licensee violated ORS 675.070(2)(d)(A), ES 3.04, ES 3.09, ES 10.10(a) and (c). Licensee was reprimanded, his license was suspended for a minimum of 12 months, with 11 months stayed, he was placed on probation, ordered not to perform any family reunification work or engage in family mediations, ordered to practice under supervision and ordered to pay a civil penalty of \$10,000 of which \$5,000 is stayed contingent on Licensee's full compliance with the terms of the Order.

ENFORCEMENT ACTIONS, CONTINUED

Robin Keillor, Ph.D. (Licensee), **STIPULATED ORDER**, effective September 23, 2019. Licensee self-reported that on her last day as Director of the Pacific University Student Counseling Center, she discovered that some of her patient files were either incomplete or missing. A subsequent audit revealed that there were 71 incomplete clinical notes involving ten different patients. Licensee failed in her ethical duty to maintain complete professional records for all of her patients. Licensee violated ORS 675.070(2)(d)(A), OAR 858-010-0060(1)(d), ES 3.04 and ES 6.01. Licensee was reprimanded, ordered to practice under supervision for a minimum of six months, and ordered to pay a civil penalty of \$1,000.

Jason M. Sibson, Psy.D. (Applicant), **STIPULATED ORDER**, effective September 13, 2019. Without receiving notice that his application had been approved, Applicant began to practice as a psychologist, and held himself out to the public as a psychologist. Applicant worked as a psychologist in Oregon from early January 2019 until mid-March 2019 without an Oregon license. Applicant was under the belief that there was a “90-day-grace period” in Oregon that permitted persons with an active license in another state to practice psychology in Oregon prior to licensure. That belief is mistaken. Applicant practiced psychology in the Oregon without a license. Applicant violated ORS 675.020(1)(a) and (b) and OAR 858-010-0036(2)(a), and was ordered to pay a civil penalty of \$500.

Charles N. Zimmerman, Psy.D. (Applicant), **STIPULATED ORDER**, effective September 13, 2019. Without a Board approved psychologist resident supervision contract, Applicant began to practice as a psychologist, and held himself out to the public as a psychologist. Applicant worked as a psychologist resident from June of 2017 until May of 2019 without a license or an approved resident supervision contract, which constitutes the unlicensed practice of psychology. Applicant violated ORS 675.020(1)(a) and (b) and OAR 858-010-0036(2)(a). Applicant was ordered to pay a civil penalty of \$1,000. **Ψ**

Administrative Rulemaking

On September 25, 2019, the Board filed a Notice of Proposed Rulemaking for the following proposed rule adoption and amendment:

Establishes military spouse temporary practice authorization and fee; modifies contested case hearing procedure; contact information.

Adopt OAR 858-010-0056: The new proposed rule implements House Bill 3030 (2019) and Senate Bill 688 (2019) by establishing the application procedures and requirements for the Board of Psychology to grant temporary practice authorizations to spouses of members of the Armed Forces of the United States who are stationed in Oregon.

Amend OAR 858-010-0060: This proposed amendment adds limited permits and temporary practice authorizations as subject to the rules regarding the maintenance and retention of psychological records.

Amend OAR 858-010-0061: This proposed amendment adds limited permits and temporary practice authorizations as subject to the Board’s notification requirements, and adds a requirement to provide the Board with a current email address.

Amend OAR 858-010-0075: The proposed amendment adds limited permits and temporary practice authorizations as subject to the Code of Professional Conduct.

Amend OAR 858-020-0025: The proposed amendment adds limited permits and temporary practice authorizations to the Board’s complaint procedures.

Amend OAR 858-020-0045: The proposed amend-

ment adds limited permits and temporary practice authorizations to the Board’s notice and investigation procedures.

Amend OAR 858-020-0075: The proposed amendment modifies the contested case hearing procedures by adding an exemption to requirements of OAR 137-003-0655(7), which require an agency to give written notice to the administrative law judge and all parties of the date by which the agency expects to issue an amended proposed order or a final order if the agency will not issue an amended proposed order or final order within 90 days of the proposed order.

Amend OAR 858-030-0005: This proposed amendment establishes a new fee for temporary practice authorizations and updates some references.

The agency requests public comment on whether the options should be considered for achieving the rule’s substantive goals while reducing negative economic impact of the rule on business. Please email your comments to laree.felton@oregon.gov or mail them to the Board’s office at 3218 Pringle Road SE, Ste. 130, Salem, OR 97302. All comments must be received no later than 5:00 p.m. on October 24, 2019. A public hearing will be held at 10 a.m. on October 24, 2019 at 3218 Pringle Road SE, Salem, OR 97302.

Please visit our [Administrative Rulemaking Webpage](#) for more information.

- LaRee Felton, Policy Advisor to the Board,
Mental Health Regulatory Agency **Ψ**

Applicant FAQ Update

We have added a couple of Applicant FAQs to address some points of confusion that we have been seeing more frequently during this busy application season. Note that these are not changes to the current procedures. As a reminder, the Board's office must receive all of the required items (transcript, references, background check, etc.) before we can review an application and approve a candidate to enter into a residency contract. It is recommended that applicants request license verification(s) and the file copy (if applicable) *as early as possible*, as some states do not complete these requests expeditiously. Also, fingerprints should be completed as soon as possible, as Oregon State Police takes an average of 2-3 weeks (sometimes longer!) to process and send the background check results to the Board.

Board staff has recently received some pressure from supervisors to approve applications and residency contracts before all items have been received. As a reminder, it is the proposed resident's responsibility to ensure that items are submitted correctly and in a timely matter so that they may begin their residency on schedule. There are numerous resources on the Board's website available to help clear up possible points of confusion, including the [Applicant FAQ](#) and [Residency FAQ](#), and Board staff is happy to answer questions as they arise as well. The Board must apply thorough standards and consistent procedures to promote the safe and competent delivery of psychological services to Oregon consumers, and appreciates the patience and understanding of the psychology community we serve.

Q. Can I just submit a residency contract and have it approved by the Board without applying for licensure?

A. No. As described above, you must be an approved applicant in order to qualify for a residency contract. The Board does not just authorize individuals to practice psychology in the state of Oregon without verifying that they have met the educational, character and fitness, and other requisite qualifications.

Q. Can I have my program send a degree verification letter in lieu of a transcript showing my degree conferral date?

A. No. There is no substitute for an official transcript showing the date of degree conferral.

- LaRee Felton, Licensing Manager, Mental Health Regulatory Agency Ψ

Upcoming Events 2019-2020

November

11/1: Oregon Jurisprudence Examination*
 11/8: **Board Meeting**
 11/9: **Board's Strategic Planning Session**
 11/11: Office Closed for Veterans Day
 11/15: Education Committee Meeting
 11/28-11/30: Office Closed for Thanksgiving

December

12/6: Oregon Jurisprudence Examination*
 12/19: Consumer Protection Committee Meeting
 12/20: Education Committee Meeting
 12/25: Office Closed for Christmas Day

January

1/1: Office Closed for New Year's Day
 1/3: Oregon Jurisprudence Examination*
 1/10: **Board Meeting**
 1/17: Education Committee Meeting
 1/20: Office Closed for Martin Luther King Jr. Day

February

2/7: Oregon Jurisprudence Examination*
 2/17: Office Closed for Presidents' Day
 2/20: Consumer Protection Committee
 2/21: Education Committee Meeting

**Committee meetings are tentatively scheduled each month.*

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

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

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