

**DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE
BOARD OF PSYCHOLOGY**

**MINUTES
GENERAL BUSINESS MEETING
JANUARY 20, 2012**

(Draft)

**THE PEABODY HOTEL
9801 INTERNATIONAL DRIVE
ORLANDO, FLORIDA 32819
(407) 352-4000**

To accommodate individuals wishing to address the board, the board Chair may adjust the sequence of the agenda items. The minutes reflect the actual sequence of events rather than the original agenda order.

CREDENTIALS COMMITTEE MEETING

Dr. Harry J. Reiff, Psy.D., Chair, called the Credentials Committee meeting to order at 8:00 a.m.

MEMBERS PRESENT

Dr. Harry J. Reiff, Psy.D., Chair
Dr. Rafael Rivas-Vazquez

STAFF PRESENT

Allen Hall, Executive Director
Anna L. Hart King, Program Operations Administrator

ASSISTANT ATTORNEY GENERAL

Donna McNulty, Esq.

COURT REPORTER

American Court Reporting
Cindy Green
(407) 896-1813

(The applicants were not present or represented at the committee meeting unless otherwise noted.)

CONVENE THE CREDENTIALS COMMITTEE

Tab 1. Goldstein, Harvey (Endorsement of: 20 Years Experience; Other State License - Virginia 2007)

Dr. Harvey Goldstein was not present.

Dr. Goldstein graduated with a Ph.D. in Learning and Behavioral Disorders. The program was not accredited by the APA.

In regards to Endorsement based on 20 years Experience: Dr. Goldstein's education was non-APA accredited and does not meet the requirements set forth in 490.006(1)(c) & 490.003, F.S.

In regards to Endorsement based on Other State License (Virginia 2007): Virginia allowed for non-APA accredited programs. Questions arose concerning the internship requirements. The post-doctoral experience requirement was also less than the required 2,000 hours for Florida. Examination requirements met.

MOTION: Dr. Rafael Rivas-Vazquez moved to deny Dr. Goldstein's application for licensure based on Endorsement of 20 Years Experience with the option to withdraw his application within 14 days of receipt of the Notice of Intent to Deny. Dr. Harry J. Reiff seconded the motion, which carried 2/0.

MOTION: Dr. Rafael Rivas-Vazquez moved to deny Dr. Goldstein's application for licensure based on Endorsement of Other State License with the option to withdraw his application within 14 days of receipt of the Notice of Intent to Deny. Dr. Harry J. Reiff seconded the motion, which carried 2/0.

Tab 2. Ariadna Montero Examination

Dr. Ariadna Montero was present and sworn in by the court reporter.

Dr. Montero received an APA accredited education from Carlos Albizu University in Puerto Rico. Her supervised experience was completed in Puerto Rico under a Psychologist licensed in Puerto Rico. Based on a previous Board decision, Puerto Rico does not meet the requirement of being one of the fifty states.

Following discussion, Dr. Montero waived the 90-day requirement for Board action on her application. Board staff was instructed to provide Dr. Montero with more information on how to file a petition for variance or waiver from Section 64B19-11.005(1)(c) F.A.C.. The Committee provided suggested documentation, Supervisor's Curriculum vitae & educational documents, to supplement the petition.

MOTION: Dr. Rafael Rivas-Vazquez moved to table Dr. Montero's application for licensure based on Examination. Dr. Harry J. Reiff seconded the motion, which carried 2/0.

Tab. 3 Rosamari Pena Examination

Dr. Rosamari Pena was not present.

Dr. Pena applied by the Examination method. She received an APA accredited education from Carlos Albizu University in Puerto Rico. Her supervised experience was completed in Puerto Rico under a Psychologist licensed in Puerto Rico. *Based on a previous Board decision, Puerto Rico does not meet the requirement of being one of the fifty states.*

Dr. Rosamari Pena provided written correspondence in the Board addendum to waive the 90-day requirement for Board action on her application. Board staff was instructed to provide Dr. Pena with more information on how to file a petition for variance or waiver from Section 64B19-11.005(1)(c) F.A.C.. The Committee provided suggested documentation, Supervisor's Curriculum vitae & educational documents, to supplement the petition.

MOTION: Dr. Rafael Rivas-Vazquez moved to table Dr. Pena's application for licensure based on Examination. Dr. Harry J. Reiff seconded the motion, which carried 2/0.

Immediately Following Credentials Committee:

CONTINUING EDUCATION COMMITTEE MEETING

Dr. Luis Orta, Chair, called the Credentials Committee meeting to order at 9:16 a.m.

MEMBERS PRESENT

Dr. Luis E. Orta, Ph.D, Chair
Dr. Dean Aufderheide

STAFF PRESENT

Allen Hall, Executive Director
Anna L. Hart King, Program Operations Administrator

ASSISTANT ATTORNEY GENERAL

Donna McNulty, Esq.

COURT REPORTER

American Court Reporting
Cindy Green
(407) 896-1813

(The applicants were not present or represented at the committee meeting unless otherwise noted.)

CONVENE THE CONTINUING EDUCATION COMMITTEE

Review of Application for Continuing Education Provider Status

**Tab 1. D & S Associates
“Personality Disorders”
Course No.: 20 – 40623**

Mr. Patrick L. Dechello from D & S Associates was not present.

D & S Associates submitted an application and course sample materials for approval to become a continuing education provider for Psychology. 7 General Credits were requested for the “Personality Disorders” sample course. The provider also requested retroactive approval for this course, beginning on September 14, 2011.

MOTION: Dr. Dean Aufderheide moved to deny D & S Associates as a continuing education provider for Psychology pursuant to Rule 64B19-13.004(1)(a) & 64B19-13.004(3), F.A.C., which requires that continuing psychological education courses must enhance psychological skills and knowledge. Dr. Luis E. Orta seconded the motion, which carried 2/0.

Following the motion, committee members offered that if the provider wanted to submit a request for reconsideration, additional information on its continuing education program needed to be provided: Pg 15 – information explaining Etiology #4, apparent contradiction on Slide 9 with Slide 34, 54 & 63, & that it does not exceed basic level of undergraduate instruction.

Upon expectant reconsideration of course, committee noted retroactive approval may be received, provided that the licensees who previously completed the course had access to necessary supplemental material, as noted by the committee.

**Tab 2. Florida Gulf Coast University - Counseling & Psychological Services
“The Efficacy, Effectiveness and Dissemination of Prolonged Exposure
(PE) Therapy for PTSD”
Course No.: 20 – 336916**

Ms. Heather Clark from Florida Gulf Coast University - Counseling & Psychological Services was not present.

Florida Gulf Coast University - Counseling & Psychological Services has submitted an application and course sample materials for approval to become a continuing education provider for Psychology. 6 General Credit hours were requested for the “The Efficacy, Effectiveness and Dissemination of Prolonged Exposure (PE) Therapy for PTSD” sample course.

MOTION: Dr. Dean Aufderheide moved to approve Florida Gulf Coast University - Counseling & Psychological Services as a continuing education provider for Psychology. Dr. Luis E. Orta seconded the motion, which carried 2/0.

**Tab 3. Mediation Training Group
“Family Mediation Training”
Course No.: 20 – 334874**

Ms. Elinor Robin from Mediation Training Group was present and sworn in by the court reporter.

Mediation Training Group has submitted an application and course sample materials for approval to become a continuing education provider for Psychology. 40 General Credit hours were requested for the “Family Mediation Training” sample course. The provider also requests retroactive approval for this course, beginning on November 12, 2011.

MOTION: Dr. Dean Aufderheide moved to approve Mediation Training Group as a continuing education provider for Psychology. Dr. Luis E. Orta seconded the motion, which carried 2/0.

**Tab 4. Mental Health Association of Southwest Florida
“Dementia”
Course No.: 20 – 328637**

Ms. Petra Jones from Mental Health Association of Southwest Florida was not present.

Mental Health Association of Southwest Florida has submitted an application and course sample materials for approval to become a continuing education provider for Psychology. 1 General Credit hour was requested for the “Dementia” sample course. The provider also requests retroactive approval for this course, beginning on September 22, 2011.

MOTION: Dr. Dean Aufderheide moved to approve Mental Health Association of Southwest Florida as a continuing education provider for Psychology. Dr. Luis E. Orta seconded the motion, which carried 2/0.

**Tab 5. Suwannee River Area Health Education Center
“Serving Those Who Have Served III: 3rd Annual Deployment Mental Health
Symposium”
Course No.: 20 – 336257**

Ms. Susie Lloyd Green from Suwannee River Area Health Education Center was not present.

Suwannee River Area Health Education Center has submitted an application and course sample materials for approval to become a continuing education provider for Psychology. 14 General Credit hours was requested for the “Serving Those Who Have Served III: 3rd Annual Deployment Mental Health Symposium” sample course. The provider also requests retroactive approval for this course, beginning on December 8, 2011.

MOTION: Dr. Dean Aufderheide moved to approve Suwannee River Area Health Education Center as a continuing education provider for Psychology. Dr. Luis E. Orta seconded the motion, which carried 2/0.

CONTINUING EDUCATION COMMITTEE CONVENED AT 9:35 AM

GENERAL BUSINESS MEETING

Dr. Rafael Rivas-Vazquez, Chair, called the General Business meeting to order at 9:40 a.m. Those present for all or part of the meeting, included the following:

MEMBERS PRESENT

Rafael Rivas-Vazquez, Psy.D., Chair
Harry J. Reiff, Psy.D., Vice-Chair
Dean Aufderheide, Ph.D.
Luis E. Orta, Ph.D

STAFF PRESENT

Allen Hall, Executive Director
Anna L. Hart King, Program Operations Administrator

ASSISTANT ATTORNEY GENERAL

Donna McNulty

ASSISTANT GENERAL COUNSEL

Adrienne Rodgers

COURT REPORTER

American Court Reporting
Cindy Green
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DISCIPLINARY PROCEEDINGS

Assistant Attorney General, Donna McNulty provided a briefing of a recent decision regarding costs, Georges v Department of Health, Board of Nursing. Ms. McNulty reviewed the

statutory requirements for Itemized costs and documentation that is required in regards to disciplinary fines.

MOTION FOR DETERMINATION OF WAIVER AND ENTRY OF FINAL ORDER

Tab 1. A. Norman Goldwasser, Case No. 2010-16029 (p/c/p Amy Swan, Luis Orta, & Ana Martin-Lavielle)

Dr. Goldwasser was not present.

Dr. Luis Orta was recused based on participation in the probable cause process

Dr. Goldwasser was charged with violating Section 490.009(1)(t), F.S. (2010) by violating an order of the Board or Department previously entered in a disciplinary hearing when he failed to timely complete 12 hours of continuing education units pursuant to the Final Order in case number 2004-27669, Department of Health vs. Norman Goldwasser..

MOTION: Dr. Harry Reiff moved that the administrative complaint was properly served on the respondent. Dr. Dean Aufderheide seconded the motion, which carried 3/0.

MOTION: Dr. Dean Aufderheide moved that the respondent failed to respond to the administrative complaint and has waived his right to elect a hearing. Dr. Harry Reiff seconded the motion, which carried 3/0.

MOTION: Dr. Dean Aufderheide moved to adopt the findings of facts alleged in the administrative complaint. Dr. Harry Reiff seconded the motion, which carried 3/0.

MOTION: Dr. Harry Reiff moved that the findings of fact support a violation of the Florida Statute. Dr. Dean Aufderheide seconded the motion, which carried 3/0.

MOTION: Dr. Dean Aufderheide that the respondent is in violation of the Florida Statutes, as charged in the administrative complaint. Dr. Harry Reiff seconded the motion, which carried 3/0.

MOTION: Dr. Harry Reiff moved to accept into evidence the investigative file for the purposes of determining a penalty and request an opportunity to make a penalty recommendation following this action on the suggestion. Dr. Dean Aufderheide seconded the motion, which carried 3/0.

- Fine in the amount of \$1,000 payable within 30 days of the filing of the Final Order
- Suspension until outstanding 12 continuing education credits are completed from final order issued in 2009.
- Additional 3 hours of continuing education in Laws and Rules within 3 months.

MOTION: Dr. Dean Aufderheide moved to accept the Department's recommendations as outlined. Dr. Harry Reiff seconded the motion, which carried 3/0.

MOTION: Dr. Harry Reiff moved to access costs related to investigation and prosecution of this case in the amount of \$1,042.15, and to reserve jurisdiction to bifurcate the cost issue at a later Board date. Dr. Dean Aufderheide seconded the motion, which carried 3/0.

MOTION FOR BOARD'S FINAL ORDER ADOPTING SETTLEMENT

Tab 2. **Natalie M. Stamey, Case No. 2011-07949 (p/c/p Amy Swan, Luis Orta, & Ana Martin- Lavielle)**

Dr. Natalie M. Stamey was present and sworn in by the court reporter.
Attorney, Mr. James Meyer, was present and sworn in by the court reporter.

Complainant was not present.

Dr. Luis Orta was recused based on participation in the probable cause process

Dr. Stamey was charged with violating Section 490.009(1)(l), F.S. (2010), by making misleading, deceptive, or fraudulent representations related to practice by identifying herself as a licensed clinical psychologist with the intent to lend credence to assertions not supported by evidence. Dr. Stamey was also charged with violating 490.009(1)(r), F.S. (2010), for failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience, by making a diagnosis based on limited interaction in one brief encounter instead of using a psychological interview or standard test.

Dr. Harry Reiff stated his knowledge of Dr. Stamey thru affiliation with the Florida Psychological Association, however did not feel this would bias his judgment in this case.

MOTION: Dr. Dean Aufderheide moved to reject the Department's Settlement Agreement. Dr. Harry Reiff seconded the motion, which carried 3/0.

MOTION: Following discussion, Dr. Dean Aufderheide proposed a counter-offer. Dr. Harry Reiff seconded the motion, which carried 3/0.

COUNTER OFFER:

- Evaluation by Professionals Resource Network, Inc. (PRN)
- Suspension, which is stayed pending an evaluation of the respondent by the Professionals Resource Network (PRN). The Board reserves jurisdiction to set other terms and conditions of probation at the next meeting following receipt of the PRN evaluation report.
- Respondent is required to be under indirect supervision pending the results of the PRN evaluation. Terms of the initial period of indirect supervision are as follows:
 - Approval of the supervisor is delegated to the Chair. Respondent is to submit three (3) curriculum vitas (CVs) of psychologists licensed in the same area of practice with which there are no financial or personal conflicts of interest.
 - Supervisor is to review 100% of client records in the respondent's practice.
 - Respondent's practice, during the initial period of indirect supervision, is restricted to disallow provision of services to clients that are male patients with anger management or domestic violence issues.
- Original continuing education requirements from original settlement agreement are retained with note that home study courses are not permitted.
- Fine of \$4,000 from original settlement agreement is retained.

The Board agreed to accept the Respondent's payment of \$1,100, made prior to the Board meeting, as payment of costs in this case. The Board was also made aware that Dr. Stamey had previously remitted payment of the fine in this case.

MOTION: Dr. Dean Aufderheide moved to accept the counter-offer. Dr. Harry Reiff seconded the motion, which carried 3/0.

The Department accepted the Board's counter-offer.

12:20 AM - ADJOURNED FOR LUNCH / 1:24 PM - RECONVENED

MOTION: Dr. Dean Aufderheide moved to modify counter offer to read, "Suspension stayed pending Professionals Resource Network (PRN) evaluation results stating, respondent can practice psychology with reasonable skill or competence." Dr. Harry Reiff seconded the motion, which carried 3/0.

The Department and Dr. Natalie Stamey's attorney, Mr. James Meyer, accepted the counter proposal.

Tab 3. Patricia B. Wilmoth, Case No. 2008-08922 (p/c/p Rafael Rivas-Vazquez, Carol Webster, & Herbert Goldstein)

Dr. Patricia B. Wilmoth was present and sworn in by the court reporter.
Attorney, Mr. Robert Potter, was present.
Complainant was not present.

Dr. Rafael Rivas-Vazquez was recused based on participation in the probable cause process

Dr. Wilmoth was charged with violating 490.009(1)(r), F.S. (2006,2007) for failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience, by failing to adequately terminate services and refer patient to a psychologist, and by having a financial conflict of interest with patient by paying patient for the upkeep of horses.

- Reprimand
- Fine in the amount of \$1,000 payable within 12 months of the filing of the Final Order
- Costs in the amount of \$6,005.71 payable within 12 months of the filing of the Final Order
- 12 hours of continuing education, with 3 hours on Laws and Rules, 6 hours on assessment and treatment of Axis II disorders, and 3 hours in ethics and boundary issues.
- Submission of an affidavit within 30 days of the filing of the final order attesting to the study and understanding of the Florida laws and rules governing the practice of psychology.
- No service as "Qualified Supervisor" until the respondent has complied with all of the obligations of Final Order.

Following discussion, Dr. Harry Reiff offered technical changes to Department's Settlement Agreement with regards to the continuing education requirements and to pay costs within 12 months of the filing of the Final Order.

The Department and Dr. Patricia B. Wilmoth agreed to amend the settlement agreement, referencing Mental Health Counselor with Psychology, and the offer of costs to be payable within 12 months of the filing of the Final Order.

MOTION: Dr. Luis Orta moved to accept the Settlement Agreement with the oral amendments. Dr. Dean Aufderheide seconded the motion, which carried 3/0.

Tab 4. Kenneth Lamar Long, Case No, 2008-16794 (p/c/p Amy Swan, Luis Orta, & Ana Martin-Lavielle)

Dr. Kenneth Lamar Long was present and sworn in by the court reporter. Attorney, Ms. Suzanne Brownless, was present

Dr. Luis Orta was recused based on participation in the probable cause process

Dr. Long was charged with violating Section 490.009(1)(w), F. S. (2006) by violating Section 456.013(1)(a), F.S. (2006) when he failed to supplement his provisional psychologist license application by failing to disclose to the Board that he was under investigation for practicing psychology without a license. As well as violating Section 490.009(1)(w), F. S. (2006) by violating rule 64B19-1(2)(a), F.A.C. when he entered into a supervisory relationship with an individual whom he had a familial relationship.

MOTION: Dr. Dean Aufderheide moved to reject the Department's original Settlement Agreement. Dr. Harry Reiff seconded the motion, which carried 3/0.

MOTION: Dr. Dean Aufderheide moved to accept all the original terms and conditions of the original Settlement Agreement with exceptions. Dr. Harry Reiff seconded the motion, which carried 3/0.

Exceptions:

- Amended Administrative Complaint
- Reprimand
- Fine in the amount of \$10,000 payable within 48 months of the filing of the Final Order
- 3 additional continuing education hours in supervisory relationships for mental health providers
- Probation for 3 years which consists of 3 years of supervision with the following terms and conditions:
 - With respect to the supervisor:
 - Delegation to the chair, temporary approval of the supervisor. 3 CVs must be submitted in the same area of practice with no dual relationships or personal conflicts of interest.
 - Appearance of respondent and supervisor before the Board at the first meeting following the commencement of the period of probation, and an appearance at the last meeting of the Board prior to the termination of probation.
 - Year 1 of supervision, with review of 75% of patient records; once every 2 weeks for the 1st 3 months with monthly reviews thereafter at the supervisor's discretion.
 - Year 2 of supervision, with review of 50% of patient records; with monthly reviews thereafter at the supervisor's discretion.
 - Year 3 of supervision, with review of 25% of patient records; with monthly reviews thereafter at the supervisor's discretion.

Respondent has 14 days to accept or reject the Settlement Agreement.

Dr. Harry Reiff requests council to investigate possibility of discipline case under Dr. Kenneth Lamar Long's full Psychology license # PY8295.

PROSECUTOR'S REPORT

Tab 5. Adrienne Rodgers, Esq.

Ms. Rodgers provided the prosecutor's report outlining the current status of the thirty (30) open disciplinary cases, as of December 28, 2011.

Number of complaints under review by a department prosecutor:	5
Number of complaints drafted for probable cause:	9
Number of complaints for reconsideration:	0
Number of complaints with supplemental/ expert requests:	2
Number of complaints in a Holding status:	0
Litigation requested or at DOAH:	14

Total: 30 (down from 41 in September 2011 report)

Number of complaints set for Board review on January 2012 agenda: 3

30 of the above cases are more than one year old (18 are pre-2011, down from 29 in September 2011 report).

MOTION: Dr. Luis E. Orta moved to continue prosecuting the cases that are more than one year old. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

ADMINISTRATIVE PROCEEDINGS

CONSIDERATION OF LIFTING CONDITIONS ON LICENSE

Tab 6. Final Appearance Pursuant to Notice of Intent to Approve Licensure with Conditions: Eric Reznik

Dr. Eric Reznik was present and sworn in by the court reporter.

Supervising Psychologist, Dr. Rick A. Harris was present and sworn in by the court reporter.

During the September 2010 Credentials Committee conference call, the Board approved Dr. Reznik's application for licensure under conditions, requiring direct supervision for 1 year. Dr. Reznik and his proposed supervisor, Dr. Harris, appeared before the Board for Dr. Harris' supervisory role approval during the January 2011 General Business Meeting. The motion to accept Dr. Harris as supervisor was approved.

Pursuant to the Board's Notice of Intent to Approve Licensure with Conditions, filed 10/29/2010, prior to termination of the supervision, the supervising psychologist submitted quarterly reports regarding the supervisory period and was present with the licensee at the final Board meeting.

MOTION: Dr. Luis E. Orta moved to approve lifting the conditions on Dr. Eric Reznik's license. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

APPLICANTS FROM APA ACCREDITED PROGRAMS FOR EXAMINATION AND LICENSURE AS NOTED

Tab 7. List of Applicants

MOTION: Dr. Luis E. Orta moved to approve the list of applicants. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

PETITIONS FOR WAIVER OR VARIANCE

Tab 12. Donna Hippmann-West, re: 64B19-11.0075, F.A.C., Application Closure After 24 Months

Dr. Donna Hippmann-West was not present.

Dr. Hippmann-West petitioned for a variance from rule 64819-11.0075 F.A.C., Application Closure after 24 Months, so that she could continue the licensure process without having to re-apply.

Dr. Hippmann-West's file was scheduled to expire on January 1, 2011. During the July 2010 meeting Dr. Hippmann-West was granted a 1 year extension to complete the requirements for licensure. The extension deadline was January 1, 2012.

MOTION: Dr. Dean Aufderheide moved to deny the petition. Dr. Harry J. Reiff seconded the motion, which carried 3/1. Dr. Luis E. Orta opposed.

FILE CLOSURE APPLICANTS FOR DENIAL PURSUANT TO §490.005(3)(b), F.S.

Tab 8. List of Applicants

MOTION: Dr. Luis E. Orta moved to deny the list of applicants for examination with the option to allow them to withdraw their application within 14 days of file the Notice of Intent to Deny. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

MOTION: Dr. Luis E. Orta moved to deny the list of applicants for bifurcation examination with the option to allow them to withdraw their application within 14 days of file the Notice of Intent to Deny. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

APPLICANT REQUESTS FOR EXTENSION PURSUANT TO §490.005(3)(b), F.S.

Tab 9. Jon Goldblatt

Dr. Jon Goldblatt was not present.

MOTION: Dr. Harry J. Reiff moved to approve Dr. Goldblatt's request for extension. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

Dr. Goldblatt's extension will expire: January 6, 2013

Tab 10. Tracy Perez

Dr. Tracy Perez was not/was present and sworn in by the court reporter.

MOTION: Dr. Luis E. Orta moved to approve Dr. Perez's request for extension. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

Dr. Perez's extension will expire: March 4, 2013

Tab 11. Roberto Sanchez

Dr. Roberto Sanchez was not present

MOTION: Dr. Luis E. Orta moved to approve Dr. Perez's request for extension. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

Dr. Perez's extension will expire: May 5, 2013

PETITION FOR DECLARATORY STATEMENT

Tab 13. Review of Proposed Order: Katharine Sandell Westie

Dr. Katharine Sandell Westie was not present.

During the November 2011 Board Quorum conference call, the Board considered a Petition for Declaratory Statement submitted by Dr. Westie, a Florida licensed psychologist, with regard to Section 490.003(4)(a), Florida Statutes. Section 490.003(4)(a), F.S., provides as follows: "Psychological services may be rendered to individuals, couples, families, groups, and the public without regard to place of service."

In the petition, Dr. Westie requested the Board's opinion as to whether it would be allowable for her to provide psychological services, by videoconference or telephone, to certain of her long-term Florida patients a private practice office she plans to establish in Michigan. Dr. Westie intends to maintain an active Florida license and is in the process of also obtaining the appropriate license in Michigan. The Board determined to respond affirmatively to this question and a draft order was prepared by Board Counsel for approval.

MOTION: Dr. Luis E. Orta moved to approve the proposed order for the petition. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

RECONSIDERATION OF CONTINUING EDUCATION PROVIDER APPLICATION

Tab 14. Francis Yahia
“The Use of Mythology in Counseling”
Course No.: 20-318492

Dr. Francis Yahia was not present.

Francis Yahia applied for licensure as a Florida Board of Psychology continuing education provider. This course was reviewed during the November 18, 2011 Continuing Education Committee and Board Quorum Conference Call. The Board moved to deny the application for provider status and the corresponding course because the program will not enhance psychological skills or psychological knowledge as required by Section 490.0085, F.S. and Rule 64B19-13.004(1)(a), Florida Administrative Code.

The provider requested a reconsideration of their continuing education application. The Board office did not receive any new material for review.

No action was taken.

OLD BUSINESS

Tab 32. Correspondence: Florida Association for Behavior Analysis

During the discussion, the Board was addressed by:
Mr. Samuel Bell, representing the Behavioral Analyst Certification Board
Mr. Eric Prutsman, representing the Florida Association for Behavioral Analyst

At the October 2011 General Business Meeting, the Board discussed the use of the term “Board Certified Behavioral Analyst” by Licensed Psychologists. Pursuant to Sec 490.0149(2), F.S., a licensed psychologist may only declare a “board certified” specialty if the certifying body is approved by the Florida Board of Psychology. The Board promulgated Rule 64B19-18.008, F.A.C., to provide requirements for approval.

Board staff sent a letter to the Florida Association for Behavioral Analysis (FABA) to make them aware of the rule and the potential implications for their certified specialists.

On November 21, 2011, correspondence was received in the Board office from Mr. Samuel Bell in response to the letter sent by Board staff to request an opportunity to appear before the Board and discuss the issue.

Mr. Eric Prutsman addressed the Board and referenced Section 393.17, F.S.

Mr. Samuel Bell addressed the Board, and referenced Section 490.014(3) “No provision of this chapter shall be construed to limit the practice of any individual who solely engages in behavior analysis so long as he or she does not hold himself or herself out to the public as possessing a license issued pursuant to this chapter or use a title or description protected by this chapter.”

The Board invited the Florida Association for Behavioral Analyst to apply for approval with the Board.

Tab 39. Old Business – Correspondence: Biofeedback Certification International Alliance

Mr. David Stumph was not present.

At the General Business Meeting on October 14, 2011, the Board discussed the use of the term “Board Certified Behavioral Analyst” by Licensed Psychologists. Pursuant to Sec 490.0149(2), F.S., a licensed psychologist may only declare a “board certified” specialty if the certifying body is approved by the Florida Board of Psychology. The Board promulgated Rule 64B19-18.008, F.A.C., to provide requirements for approval.

Board staff sent a letter to the Biofeedback Certification International Alliance to make them aware of the rule and the potential implications for their certified specialists. The letter dated November 3, 2011, was sent to Managing Director, Aubrey K Ewing with the Biofeedback Society of Florida.

On January 10, 2012, correspondence was received in the Board office from Mr. David Stumph, Executive Director, Biofeedback Certification International Alliance, in response to the letter sent by Board staff.

The Board invited the Biofeedback Certification International Alliance to apply for approval with the Board.

PROFESSIONAL PRACTICE TOPICS

Tab 15. Discussion: Telepsychology

During the July 2010 meeting, Dr. Harry Reiff provided an overview of this topic based on information obtained from the Association of State and Provincial Psychology Board’s Fall 2009 meeting.

During the November 2011 Board Quorum conference call, after reviewing a Petition for Declaratory Statement involving this topic, it was requested that further general discussion regarding telepsychology be agendaed for the January 2012 meeting.

The Discussion on Telepsychology was tabled

Tab 16. Discussion: Continuing Professional Development

During the April 22, 2011 General Business Meeting, Dr. Harry Reiff discussed issues related to continuing professional development and commented on guidelines being developed by the Association of State and Provincial Psychology Board’s (ASPPB) task force on maintenance and competence in licensure, to broaden professional development and supplement continuing education.

During the October 14, 2011 General Business Meeting, Dr. Harry Reiff suggested that the Board begin working on the subject of Continuing Professional Development at the General Business Meeting in January 2012. The discussion will involve exploring ways to expand the methods through which a licensee can acquire the required continuing education outside of coursework or seminars.

A separate binder entitled: Report of The ASPPB Task Force on Maintenance of Competence and Licensure (MOCAL), was provided for reference during the ongoing discussions on Continuing Professional Development.

The Discussion on Continuing Professional Development was tabled

Tab 17. Survey Status Update: Delegation of Professional Responsibilities or Activities by Licensed Psychologists to Paraprofessionals

The survey approved by the Board, during the November 18, 2011 Board Quorum conference call, was made available for input during the first week of January 2012. The survey is easily accessed on the Board's website under "Hot Topics", or, individuals may contact the Board office to receive a hard copy of the survey form. The new web page also contains background information on the development of the draft legislation.

As per the Board's request, the survey will be available for 90 days, after which time the Board will determine whether a sufficient percentage of licensees have responded or whether the survey should remain open to allow time for additional input.

A preliminary report of the number of survey participants in each category, as per responses to Question 1 of the survey, will be provided during the March 23, 2012 Board quorum conference call. With the current 90-day timeframe, it is estimated that the final survey report will be complete by the end of April 2012.

The Survey Status Update was tabled

RULES REVIEW AND/OR DEVELOPMENT

Tab 18. 64B19-18.007, F.A.C., Requirements for Forensic Psychological Evaluations of Minors for the Purpose of Addressing Custody, Residence or Visitation Disputes

During the November 2011 Legislative Committee meeting, the Committee was addressed by: Dr. Stephen Bloomfield & Dr. Carolyn Stimel.

The Board discussed the committee's recommendation to revise the rule language instead of repealing the rule.

The review and/or development of Rule 64B19-18.007, F.A.C., was tabled

Tab 19. 64B19-11.012, F.A.C., Application Forms

The developmental process to make the psychology licensure application available for submission online is impending. The Board was asked to consider the following:

- Approval of the modified application;
- Approval of the proposed language incorporating the revised application; and

- if approved, additional items regarding adverse impact, regulatory costs, legislative ratification and submission to OFARR, which Board Counsel will further explain upon consideration of this tab during the meeting.

64B19-11.012 Application Forms.

(1) All applicants for licensure pursuant to Chapter 490, F.S., shall complete and submit form DH-MQA 1187, (Revised 01/12 04/14), "Application for Psychologist Licensure," which is incorporated herein by reference and which may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Rcf-00664>, the Board office, or on the Board's website at <http://www.doh.state.fl.us/mqa!psychology>.

(2)- (4) No Change.

Rulemaking Authority 490.004(4) FS. Law Implemented 490.005, 490.006(1)(b), 490.007(1) FS. History-New 6-25-02, Amended 5-24-09, 3-1-10, 5-23-10, 11-10-11,

MOTION: Dr. Rafael Rivas-Vazquez moved to accept the proposed rule language and application incorporating the revised application. Dr. Luis Orta seconded the motion, which carried 3/0.

MOTION: Dr. Luis Orta moved that there will or will be no adverse impact on small business, nor direct or indirect increase in regulatory costs in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. Dr. Harry Reiff seconded the motion which carried 3/0.

MOTION: Dr. Luis Orta moved that in light of the discussion, experience, and expertise, the rule will not need to be ratified by the legislature. Dr. Harry Reiff seconded the motion, which carried 3/0.

Tab 20. 64B19-11.011, F.A.C., Provisional License; Supervision of Provisional Licensees

The developmental process to make the provisional licensure application available for submission online is impending. The Board was asked to consider the following:

- Approval of the modified application;
- Approval of the proposed language incorporating the revised application; and
- if approved, additional items regarding adverse impact, regulatory costs, legislative ratification and submission to OFARR, which Board Counsel will further explain upon consideration of this tab during the meeting.

64B19-11.011 Provisional License; Supervision of Provisional Licensees.

All applicants applying for provisional licensure shall:

(1) Complete and submit to the Board form DH-MQA 1189, (Revised 1/12 9/09), "Application for Provisional Psychology Licensure," which is hereby incorporated by reference, copies of which may be obtained from the Board office or on the Board's website at <http://www.doh.state.fl.us/mqa!psychology>.

(2)- (6) No Change.

Rulemaking Authority 456.013, 490.003(6), 490.004(4), 490.0051 FS. Law Implemented 456.013, 490.003(6), 490.004(4), 490.0051, 490.009 FS. History-New 1-27-98, Amended 3-24-02, 9-8-03, 5-24-09, 3-1-10, _____.

MOTION: Dr. Rafael Rivas-Vazquez moved to accept the proposed rule language and application incorporating the revised application. Dr. Luis Orta seconded the motion, which carried 3/0.

MOTION: Dr. Luis Orta moved that there will or will be no adverse impact on small business, nor direct or indirect increase in regulatory costs in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. Dr. Harry Reiff seconded the motion which carried 3/0.

MOTION: Dr. Luis Orta moved that in light of the discussion, experience, and expertise, the rule will not need to be ratified by the legislature. Dr. Harry Reiff seconded the motion, which carried 3/0.

Tab 21. 64B19-11.010, F.A.C., Limited Licensure

The developmental process to make the limited licensure application available for submission online is impending. The Board was asked to consider the following:

- Approval of the modified application;
- Approval of the proposed language incorporating the revised application; and
- if approved, additional items regarding adverse impact, regulatory costs, legislative ratification and submission to OFARR, which Board Counsel will further explain upon consideration of this tab during the meeting.

64B19-11.010 Limited Licensure.

(1) Pursuant to Section 456.015, F.S., the Board shall grant a limited license to any applicants who meet the requirements of Section 456.015, F.S., and:

(a) No Change.

(b) No Change.

(c) Complete and submit to the Board form DH-MQA 1188, (Revised 1/12 9/09) "Application for Psychologist Limited Licensure," which is hereby incorporated by reference, copies of which may be obtained from the Board office or on the Board's website at <http://www.doh.state.fl.us/mqa/psychology>.

(2) No Change.

Rulemaking Authority 456.015(1), (4), 490.004(4) FS. Law Implemented 456.015 FS. History-New 6-14-94, Formerly 61F13-11.012, Amended 6-26-97, Formerly 59AA-11.010, Amended 3-24-02, 5-24-09, 5-2-10, _____.

MOTION: Dr. Harry Reiff moved to accept the proposed rule language and application incorporating the revised application. Dr. Luis Orta seconded the motion, which carried 4/0.

Dr. Dean Aufderheide returned to Board discussion at this time.

MOTION: Dr. Luis Orta moved that there will or will be no adverse impact on small business, nor direct or indirect increase in regulatory costs in excess of \$200,000 in the aggregate in

Florida within 1 year after the implementation of the rule. Dr. Dean Aufderheide seconded the motion which carried 4/0.

MOTION: Dr. Luis Orta moved that in light of the discussion, experience, and expertise, the rule will not need to be ratified by the legislature. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

Tab 22. Discussion: Review of Application, Licensure & Renewal Fees Rule 64819-11.010, F.A.C. & Rule Chapter 64819-12, F.A.C.

During the October 2011 meeting, Dr. Reiff inquired about the feasibility of reducing initial licensure and renewal fees, based upon review of the most recent *Profession-by-Profession Revenue and Expenditure Projections* prepared by the MQA budget analyst. It was agreed that further discussion would take place regarding this proposal at the January 2012 meeting.

The current application, licensure and renewal fee rules were provided to the Board. The Board was asked to review and be prepared to make proposals for reductions in any of the fees as deemed appropriate.

PROPOSAL: For licensure, Dr. Harry Reiff proposed an investigation on fiscal impact to be done with respect to lowering the initial licensure application fee from \$375 to \$300 and the initial licensure from \$300 to \$250.

PROPOSAL: For provisional licensure, Dr. Harry Reiff proposed an investigation on fiscal impact to be done with respect to lowering the initial licensure fee from \$500 to \$250.

No changes proposed to limited licensure fees.

PROPOSAL: For renewal, Dr. Harry Reiff proposed an investigation on fiscal impact to be done with respect to lowering the active renewal fee from \$340 to \$300 and the inactive renewal fee from \$340 to \$300.

PROPOSAL: For continuing education provider application, Dr. Harry Reiff proposed an investigation on fiscal impact to be done with respect to lowering the fee from \$500 to \$250.

PROPOSAL: For continuing education provider renewal, Dr. Harry Reiff proposed an investigation on fiscal impact to be done with respect to lowering the fee from \$500 to \$250.

Proposals will be provided to the MQA budget analyst for preparation of fee scenarios, which will be presented to the Board at a future meeting for final determination on any changes to be incorporated in rule.

BOARD COUNSEL'S REPORT

Donna McNulty, Assistant Attorney General

Tab 23. Rule Status Report

- 64B19-11.0035, F.A.C., Licensure by Examination; Proof Satisfactory to the Board for the Purpose Of Determining Eligibility for Examination

- 64B19-11.012, F.A.C., Application Form
- 64B19-12.005 F.A.C., Biennial Active Renewal Fee
- 64B19-12.007, F.A.C., Biennial Inactive Renewal Fee

Up-to-date handout on code of ethics for public officials and employees was provided to Board.

Tab. 24 Sunshine Law Review

The Sunshine Law Review was tabled

Tab 27. Credentials Committee Report

Dr. Harry Reiff reported to the full Board the recommendations of the Credentials Committee.

- Tab 1: Goldstein, Harvey; Denied
- Tab 2: Montero, Ariadna; 90 day waiver
- Tab 3: Pena, Rosamari; 90 day waiver

MOTION: Dr. Luis Orta moved to ratify the recommendations of the committee. Dr. Dean Aufderheide seconded the motion, which carried 3/0.

REPORTS, IF ANY

Tab 26. Executive Director

Report topics

- Cash Balance Reports
- Expenditures by Function Report
- SB 1666: Psychologists

Mr. Allen Hall addressed the Board with a recent legislative proposal, SB 1666: Psychologists, to change Chapter 490.006(1)(c), relating to Endorsement of 20 years Experience, reducing years of experience from 20 to 15.

Dr. Reiff provided short background on SB 1666 from Representative Weinstein.

During the discussion, the Board was addressed by:

Ms. Connie Galietti & Dr. Carolyn Stimel, Florida Psychological Association (FPA)

Dr. Carolyn Stimel made the statement that FPA would not oppose this Bill.

Board Staff has requested the ASPPB to provide further research on the topic. No new information had been received.

MOTION: Dr. Harry Reiff moved to oppose Senate Bill 1666. Dr. Rafael Rivas-Vazquez seconded the motion, which failed 2/2. Dr. Luis E. Orta and Dr. Dean Aufderheide opposed.

No action taken.

Tab 28. Continuing Education Report

Dr. Luis Orta reported to the full Board the recommendations of the Continuing Education Committee.

- Tab 1: D & S Associates; Denied
- Tab 2: Florida Gulf Coast; Approved
- Tab 3: Mediation Training Group; Approved
- Tab 4: Mental Health Association of SW Florida; Approved
- Tab 5: Suwannee River Area Health Ed Center; Approved

MOTION: Dr. Harry Reiff moved to ratify the recommendations of the committee. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

NEW BUSINESS

Tab 29. Presentation by Mr. John Cooper, Assistant Secretary for Operations, Florida Department of Children and Families: "Mandatory Reporters of Child Abuse"

The Presentation by Mr. John Cooper was tabled.

Tab 30. Election of Officers and Committee Assignments

2012 Election of Officers And Committee Assignments

BOARD CHAIR: **Dr. Harry Reiff**

VICE-CHAIR: **Dr. Luis Orta**

BUDGET LIAISON: **Dr. Dean Aufderheide**

LEGISLATIVE LIAISON: **Dr. Rafael Rivas-Vazquez**

COMMUNICATIONS LIAISON: **Dr. Dean Aufderheide**

UNLICENSED ACTIVITY LIAISON: **Dr. Luis Orta**

CONTINUING EDUCATION COMMITTEE: **Dr. Luis Orta**

CREDENTIALS COMMITTEE: **Dr. Rafael Rivas-Vazquez, Chair**

EXAMINATION LIAISON: **Dr. Dean Aufderheide**

IMPAIRED PRACTITIONER LIAISON: **Dr. Dean Aufderheide**

MOTION: Dr. Dean Aufderheide moved to accept the election of offices and committee assignment changes. Dr. Luis Orta seconded the motion, which carried 4/0.

Tab 31. Delegation of Authority

Dr. Dean Aufderheide moved to accept the list of delegated authority as presented. Dr. Luis Orta seconded the motion, which carried 4/0.

OLD BUSINESS

Tab 33. October 14, 2011 General Business Meeting Minutes

Dr. Dean Aufderheide moved to accept the minutes. Dr. Luis Orta seconded the motion, which carried 4/0.

Tab 34. November 15, 2011 Legislative Subcommittee Call Meeting Minutes

Dr. Dean Aufderheide moved to accept the minutes. Dr. Luis Orta seconded the motion, which carried 4/0.

Tab 35. November 18, 2011 Board Quorum Call Meeting Minutes

Dr. Luis Orta moved to accept the minutes. Dr. Dean Aufderheide seconded the motion, which carried 4/0.

OTHER BUSINESS AND INFORMATION

Tab 36. ASPPB Disciplinary Data Report

Information item

Tab 37. ASPPB Disciplinary Data Report

Information item

Tab 38. Psychology Staff Recognition

Information item

REPORTS, IF ANY

Tab 25. Rafael Rivas-Vazquez, Ph.D.;

Other Board Members

APA List 1/20/2012

PROCEDURAL STATEMENT REGARDING APPROVED APPLICANTS:

Regardless of application method, if board staff becomes aware of any issues of concern, approved applicants will be brought back before the Board for reconsideration prior to issuance of a license.

Examination Applicants:

Examination applicants have met the educational and supervision requirements for psychologist licensure.

By ratifying this list, the Board is approving the listed applicants under this method to sit for the required examination(s) and for issuance of a license upon completion of the remaining requirements for licensure to include: 1) passage of the required examination(s) and 2) submission of a medical errors course certificate from a Board-approved medical errors course provider, if not previously submitted.

Name	File	University	Major
1. Baum, Alissa B.	7423	Nova Southeastern University	Clinical
2. Berrios-Siervo, Gretchen	7418	Carlos Albizu University – Miami	Clinical
3. Brown, Megan Kimberly	7396	Alliant International Univ—San Francisco Bay	Clinical
4. Coles, Erika K.	7393	University at Buffalo State	Clinical
5. Coletta, Cheryl Nancy	7401	University of Hartford	Clinical
6. Constantinidou, Maria Ioanni	7392	Nova Southeastern University	Clinical
7. Fogel, Melissa Rose	7382	Nova Southeastern University	Clinical
8. Gehle, Nicholas Ryan	7398	Wright State University	Clinical
9. Norton, Georgann T	7399	Argosy University	Clinical
10. Sachs, Rebecca Eva	7421	Hofstra University	Clinical
11. Saldana, Josimar	7380	Carlos Albizu University – San Juan	Clinical
12. Saltzman-Gorn, Tammy	7414	Antioch University	Clinical
13. Scherdell, Traci Marie	7425	Chicago School of Professional Psychology	Clinical
14. Sibille, Kimberly Theresa	7394	Fielding Graduate University	Clinical
15. Worden, Lauren Turner	7397	University of Oregon	Counseling
16. Yehl, Angela Lynne	7407	Nova Southeastern University	Clinical
17. Zdradzinski, Elizabeth	7409	Alliant International University—San Diego	Clinical

Bifurcation/Examination Applicants:

Bifurcation/Examination applicants have met the educational requirements for psychologist licensure and are pursuing the required post-doctoral supervised experience.

By ratifying this list, the Board is approving the listed applicants under this method to sit for the required examination(s) and for issuance of a license upon completion of the remaining requirements for licensure to include: 1) passage of the required examination(s); 2) submission of satisfactory Supervised Experience Verification forms documenting completion of the required hours of post-doctoral supervised

experience; and 3) submission of a medical errors course certificate from a Board-approved medical errors course provider, if not previously submitted.

Name	File	University	Major
1. Amendolace, Blaise Vito	7395	Florida Institute of Technology	Clinical
2. Barone, Barbara Ann	7404	Carlos Albizu University	Clinical
3. Baumeister, Audrey	7402	Louisiana State University	Clinical
4. Bazel, Blake Evans	7416	Nova University	Clinical
5. Bedsole, Davina Ann	7415	Florida Institute of Technology	Clinical
6. Carr, Darrin L.	7384	Florida State University	Counseling/School
7. Dincer, Laura	7422	Argosy University	Clinical
8. Dorsainville, Aida	7400	Nova Southeastern University	Clinical
9. Duquette, Gabriella	7403	Carlos Albizu University	Clinical
10. Farrell-Turner, Kristen	7412	University of Miami	Clinical
11. Garrett, Julia	7405	Pace University	Clinical/School
12. Karle, Jessica	7406	Nova Southeastern University	Clinical
13. Khan, Annalesa	7401	Adler School of Professional Psychology	Clinical
14. Ries, Jennifer Dawn	7419	University Of Northern Colorado (On Probation)	School
15. Singleton, Alison Marie	7408	Argosy University	Clinical
16. White, Nathan James	7424	Arizona State University	Counseling

Endorsement of 20 Years Applicants

Applicants by Endorsement of 20 years Licensed Psychologist experience have met all requirements for licensure under this method, except, passage of the State psychology laws and rules exam.

By ratifying this list, the Board is approving the listed applicants under this method to sit for the State laws and rules examination and for issuance of a license upon passage of the examination and submission of a medical errors course certificate from a Board-approved medical errors course provider, if not previously submitted.

Name	File	University	Major
1. Bussotti, Camille L	7389	Georgia State University	Clinical
2. Fernbach, Chryso Kellas	7373	Yeshiva University	Clinical/School

Provisional Licensure Applicants:

Name	File	University	Major
1. Riddle, Janel M	202	Alliant International University	Clinical