

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

**MINUTES
GENERAL BUSINESS MEETING
JANUARY 25, 2008**

**The Renaissance Hotel
5445 Forbes Place
Orlando, Florida 32812
407-240-1000**

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

MEMBERS PRESENT

Katurah Jenkins-Hall, Chair
Herbert Goldstein, Ph.D.
Amy Swan, Psy.D.

STAFF PRESENT

Allen Hall, Acting Executive Director
Anna L. Hart King, Regulatory Specialist II

ASSISTANT ATTORNEY GENERAL

Mary Ellen Clark

COURT REPORTER

Mary Deibler
American Court Reporting
407-896-1813

Dr. Katurah Jenkins-Hall, Chair, called the Credentials Committee meeting to order at approximately 9:00 a.m.

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

Tab 1 Brown, Alexis (Endorsement of 1975 Pennsylvania License and Endorsement of 20 Years Licensed Psychologist Experience)

Dr. Brown was present and sworn in by the court reporter.

Following discussion, Dr. Herbert Goldstein moved to table further consideration of Dr. Brown's application to the April 4, 2008 meeting to allow for submission of the following items in order to complete the licensure application:

- Letter(s) from treating provider(s) as to prior mental health issues reported in her application;
- A more complete, up-to-date letter of APA-comparability to be prepared by the Acting Director of Clinical Training, Dr. Jessie Goicoechea, if sought from Duquesne University or, in the alternative, the letter may be obtained from another APA-accredited program director; and

- A personality assessment and current mental status evaluation by the Professionals Resource Network (PRN).

Dr. Amy Swan seconded the motion, which carried 3/0. All items are to be submitted to the Board office at least three weeks prior to the April meeting. Upon Dr. Brown's inquiry regarding whether she would be required to attend the April meeting, she was informed by Board Counsel, Ms. Clark, that it would be beneficial for her to attend but not required.

Tab 2 Friedman, Adam (Bifurcation/Exam)

Dr. Friedman was present and sworn in by the court reporter.

Following discussion, Dr. Amy Swan moved to approve the application for licensure. Dr. Herbert Goldstein seconded the motion, which carried 3/0.

Tab 3 Kazir, Marlene (Exam)

Dr. Kazir did not present to the Committee during consideration of her licensure application.

Following discussion, Dr. Amy Swan moved to deny the application for licensure pursuant to s.490.005(1)(b) 1., F.S., which requires that applicants possess a doctoral-level psychological education as defined in s.490.003(3), F.S. Section 490.003(3), F.S., requires that applicants obtain a doctorate in psychology from an appropriately accredited institution. Dr. Katurah Jenkins-Hall seconded the motion, which carried 3/0.

Dr. Kazir made her presence known at a later point during the meeting and was reconsidered during the Credentials Committee report, under Tab 15, at which time she withdrew her application for licensure.

Tab 4 Lober, Rosalie (Endorsement of 1989 Pennsylvania License)

Dr. Lober was present and sworn in by the court reporter.

Following discussion, Dr. Herbert Goldstein moved to approve the application for licensure. Dr. Amy Swan seconded the motion, which carried 3/0.

Tab 5 LaSalle-Ricci, Veronica (Bifurcation/Exam)

Dr. LaSalle-Ricci was not present.

Following discussion, Dr. Amy Swan moved to approve the documentation submitted regarding the applicant's post-doctoral supervision. Dr. Herbert Goldstein seconded the motion, which carried 3/0.

The Credentials Committee adjourned at 10:14 a.m.

CONTINUING EDUCATION COMMITTEE MEETING

MEMBERS PRESENT

Ana Martin-Lavielle, Chair
Richard Hoffman, Ph.D.
Cheryl Levine

STAFF PRESENT

Allen Hall, Acting Executive Director
Anna L. Hart King, Regulatory Specialist II

ASSISTANT ATTORNEY GENERAL

Mary Ellen Clark

COURT REPORTER

Mary Deibler
American Court Reporting
407-896-1813

Ms. Ana Martin-Lavielle, Chair, called the Continuing Education Committee meeting to order at approximately 10:16 a.m.

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

Tab 1 Nova Southeastern University/CPS

Following discussion, Dr. Richard Hoffman moved to approve the application to become a medical errors course provider. Ms. Cheryl Levine seconded the motion, which carried 3/0.

Tab 2 Catherine L. Waltz, Ph.D., LCSW

Following discussion, Dr. Richard Hoffman moved to deny the application to become a medical errors course provider, pursuant to s. 490.0085(4), F.S. and Rule 64B19-13.004(1)(a), F.A.C., which requires that continuing education programs must enhance psychological skills and psychological knowledge.

Ms. Cheryl Levine seconded the motion, which carried 3/0.

Tab 3 South Florida Society for Trauma Based Disorders

Following discussion, Dr. Richard Hoffman moved to request more detail regarding the applicant's program description, with regard to course content. Ms. Cheryl Levine seconded the motion, which carried 3/0. The Committee tabled further consideration of the application to the March 7, 2008 Credentials Committee conference call.

The Continuing Education Committee adjourned at 10:22 a.m.

SPECIALTIES COMMITTEE MEETING

MEMBERS PRESENT

Richard Hoffman, Ph.D.
Herbert Goldstein, Ph.D.

STAFF PRESENT

Allen Hall, Acting Executive Director
Anna L. Hart King, Regulatory Specialist II

ASSISTANT ATTORNEY GENERAL

Mary Ellen Clark

COURT REPORTER

Mary Deibler
American Court Reporting
407-896-1813

Dr. Richard Hoffman called the Specialties Committee meeting to order at approximately 10:24 a.m.

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

Tab 1 American Academy of Pain Management

Following discussion, Dr. Richard Hoffman moved to deny the American Academy of Pain Management (AAPM) as a Board-approved certifying body, pursuant to Rules 64B19-18.008(1), (3) and (4), F.A.C. Rule 64B19-18.008(1), F.A.C., requires that specialty certifications only be issued to doctoral-level licensed psychologists. Rule 64B19-18.008(3), F.A.C., requires the adoption of the American Psychological Association's (APA) Ethical Principles of Psychologists and Code of Conduct. Lastly, Rule 64B19-18.008(4), F.A.C., requires that specialty applicants must undergo an oral examination and peer review of practice samples as a requirement for certification.

Dr. Herbert Goldstein seconded the motion, which carried 2/0.

Tab 2 American Board of Pediatric Neuropsychology (ABPdN)

Following discussion, Dr. Herbert Goldstein moved to approve the ABPdN as a Board-approved certifying body, eligible to grant formal recognition of its certification to Florida-licensed psychologists. Dr. Richard Hoffman seconded the motion, which carried 2/0.

Tab 3 American Board of Professional Neuropsychology (ABPN)

Dr. John Blase, ABPN Executive Director, was present and sworn in by the court reporter.

Following discussion, Dr. Richard Hoffman moved to approve the ABPN as a Board-approved certifying body, eligible to grant formal recognition of its certification to Florida-licensed psychologists. Dr. Herbert Goldstein seconded the motion, which carried 2/0.

Tab 4 American Board of Professional Psychology (ABPP)

Dr. David Cox, ABPP Executive Director, was present and sworn in by the court reporter.

Following discussion, Dr. Richard Hoffman moved to approve the ABPP as a Board-approved certifying body, eligible to grant formal recognition of its certification(s) to Florida-licensed psychologists. Dr. Herbert Goldstein seconded the motion, which carried 2/0.

Tab 5 International College of Professional Psychology (ICPP)

Dr. Samuel Feldman, ICPP President, was present and sworn in by the court reporter. Mr. Mitchell Feldman was present as legal counsel for ICPP.

Following discussion, Dr. Richard Hoffman moved to approve the ICPP as a Board-approved certifying body, eligible to grant formal recognition of its certification(s) to Florida-licensed psychologists. Dr. Herbert Goldstein seconded the motion, which carried 2/0.

The Specialties Committee adjourned at 11:17 a.m.

GENERAL BUSINESS MEETING

Dr. Herbert Goldstein, Chair, called the General Business meeting to order at approximately 11:26 a.m. Those present for all or part of the meeting, included the following:

MEMBERS PRESENT

Herbert Goldstein, Ph.D., Chair
Richard Hoffman, Ph.D., Vice-Chair
Ana Martin-Lavielle
Cheryl Levine
Rafael Rivas-Vazquez, Psy.D.
Amy Swan, Psy.D.
Katurah Jenkins-Hall, Ph.D.

STAFF PRESENT

Allen Hall, Acting Executive Director
Anna L. Hart King, Regulatory Specialist II

ASSISTANT GENERAL COUNSEL

Cynthia Jakeman

ASSISTANT ATTORNEY GENERAL

Mary Ellen Clark

COURT REPORTER

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American Court Reporting
407-896-1813

Prior to proceeding with the agenda, the Chair requested a moment of silence in observance of the passing of Dr. Nathan Perry, a former member of the Florida Board of Psychology.

DISCIPLINARY PROCEEDINGS

MOTION FOR BOARD'S FINAL ORDER BY STIPULATION

Tab 1 Jon E. Mundorff, Case No. 2003-16372 (p/c/p Rafael Rivas-Vazquez and Juliet Lewis)

Dr. Mundorff was present and sworn in by the court reporter. Dr. Mundorff was represented by legal counsel, Mr. Wilson Jerry Foster.

Dr. Rafael Rivas-Vazquez was recused due to participation on the probable cause panel.

Dr. Mundorff was charged with violating s. 490.009(1)(w), F.S. (2000), by violating Rule 64B19-19.0025, Florida Administrative Code, for failing to meet the minimum requirements for patient records; s. 490.009(1)(r), F.S. (2000), for failing to perform adequate diagnostic assessments and develop treatment plans; and s. 490.009(1)(r), F.S. (2000), for failing to meet minimum standards of performance by entering into dual relationships with a patient.

Following discussion, Dr. Katurah Jenkins-Hall moved to reject the proposed Stipulation. Ms. Ana Martin-Lavielle seconded the motion, which carried 6/0.

The Board proposed the following terms for consideration in a renegotiated Stipulation:

- Payment of fine in the amount of ten thousand dollars (\$10,000) within 12 months;
- Payment of actual costs;
- No continuing education hours required;

- Count II of the Administrative Complaint will not be dismissed;
- Probation for twelve months to include:
 - Direct (face-to-face) and indirect weekly supervision, at the discretion of the supervisor, of 50% of clinical practice records – patients are to be notified, in writing, that their records may be reviewed by the supervisor and of any recorded sessions that may be required by the supervisor; weekly supervision may be adjusted to bi-weekly, at a later point, at the supervisor’s discretion;
 - Submission of 3 names and curriculum vitas of proposed supervisors to the Board Chair for selection of a supervisor who will appear with the licensee at the time the Stipulation is brought back before the Board; and
 - Quarterly progress reports to the Board, with the licensee and supervisor to present the final report, in person, prior to termination of the probation.

Prosecuting Attorney, Ms. Jakeman will renegotiate the Stipulation with Dr. Mundorff and present the agreed upon settlement to the Board at the April 2008 Board meeting.

Tab 2 Harry D. Krop, Case No. 2004-33680 (p/c/p Rafael Rivas-Vazquez and Juliet Lewis)

Dr. Krop was present and sworn in by the court reporter. Dr. Krop was represented by legal counsel, Mr. Gray Thomas. The complainant, Ms. Celeste Stankard, was present, sworn in and provided testimony concerning the case.

Dr. Rafael Rivas-Vazquez was recused due to participation on the probable cause panel. Dr. Amy Swan was recused due to her stated involvement in an outside case involving Dr. Krop.

Dr. Krop was charged with violating s. 490.009(2)(s), F.S. (1999), for failing to meet minimum standards of performance by failing to conduct an equitable, balanced, accurate and thorough custody and visitation evaluation; s.490.009(2)(u), F.S. (1999), through a violation of Rule 64B19-19.0025(2), F.A.C., for failing to document written informed consent; and s. 490.009(1)(w), F.S. (2002, 2003), by violating s. 456.057(4), F.S. (2002, 2003) and Rule 64B19-19.005, F.A.C., for failing to timely provide copies or a summary of therapy records.

Following discussion, Ms. Martin-Lavielle moved to reject the proposed Stipulation. Dr. Katurah Jenkins-Hall seconded the motion, which carried 5/0.

The Board offered the following counterstipulation:

- Payment of fine in the amount of \$5,000.00;
- Payment of costs in the amount of \$3039.11 within 60 days of the filing of the Final Order;
- Refund of fees billed in the amount of \$2,500.00;
- No continuing education courses required;
- Restriction from performing future custody evaluations; and
- Issuance of a letter of reprimand.

Dr. Katurah Jenkins-Hall moved to accept the counterstipulation as stated. Ms. Martin-Lavielle seconded the motion, which carried 5/0. Dr. Krop agreed to the counteroffer.

Tab 3 Hugh Brown, Case No. 2004-28492 (p/c/p Rafael Rivas-Vazquez and Nathan Perry)

Dr. Brown was not present.

Dr. Rafael Rivas-Vazquez was recused due to participation on the probable cause panel.

Dr. Brown was charged with violating s. 490.009(1)(r), F.S. (2005), for failing to meeting the minimum standards of performance in professional activities for which the licensee is not qualified by training or experience; s.490.009(1)(w), F.S. (2005), through a violation of Rule 64B19-19.0025(2), F.A.C., for failing to obtain and document written informed consent; and s. 490.009(1)(w), F.S. (2005), through a violation of Rule 64B19-19.0025(1), F.A.C., for failing to meet the minimum requirements for chronicling and documenting services performed. Dr. Brown signed a Voluntary Relinquishment of license on October 4, 2007.

Following discussion, Dr. Katurah Jenkins-Hall moved to accept Dr. Brown's voluntary relinquishment of his psychology license. Ms. Ana Martin-Lavielle seconded the motion, which carried 5/0. Dr. Richard Hoffman was not present for the vote.

Tab 4 Cynthia Jakeman, Prosecuting Attorney

Ms. Jakeman presented the prosecutor's report outlining the current status of the thirty-three (33) open disciplinary cases, as of December 31, 2007.

Under legal review	13
Scheduled for probable cause review	4
Probable cause found	16

13 of the above cases were stated to be more than one year old.

Tab 10 Rule 64B19-13.003(1)(c), F.A.C., Continuing Psychological Education Credit – re: Approval of Credits Offered by APA-Accredited “Residency” Programs

During the October 2007 meeting, Dr. Ana Rivas-Vazquez requested that the Board revise Rule 64B19-13.003(1)(c), F.A.C., to include completion of an APA-accredited program “residency” as a category in which continuing education credit may be received.

The Board agreed to notice Rule 64B19-13.001(1)(c), F.A.C., for development. Notice of the proposed rule change is pending completion of rulemaking currently in progress with regard to Rule 64B19-13.003(5), F.A.C. Ms. Clark provided draft language for the Board's approval.

64B19-13.003 Continuing Psychological Education Credit.

(1) Continuing psychological education credit will be granted for:

(a) - (b) No change.

(c) Completion of a colloquium, a presentation, a workshop or a symposium offered for continuing education credit by a doctoral psychology program or an internship or residency which is part of a psychology program that is accredited by the American Psychological Association;

(d) – (j) No change.

(2) – (6) No change.

Specific Authority 456.013(7), 490.004(4), 490.0085(4) FS. Law Implemented 456.013(7), 490.007(2), 490.0085(1), (3) FS. History–New 1-28-93, 7-14-93, Formerly 21U-13.0042, Amended 6-14-94, Formerly 61F13-13.0042, Amended 2-8-96, 11-18-96, Formerly 59AA-13.003, Amended 1-10-01, 8-5-01, 5-21-02, 6-3-04, 1-2-06, 12-31-06, _____.

Dr. Katurah Jenkins-Hall moved to approve the proposed language. Ms. Cheryl Levine seconded the motion, which carried 7/0.

RULE STATUS REPORT

Tab 12 Mary Ellen Clark, Assistant Attorney General

- **Rule 64B19-13.003 (5), F.A.C., Continuing Psychological Education Credit**

During the October 2007 meeting, the Board agreed to notice Rule 64B19-13.003(5), F.A.C., for development to repeal the requirement for additional continuing education hours for “qualified practitioners, as defined in Rule 64B19-18.001, F.A.C. The rule was noticed for development on January 4, 2008.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-13.003 Continuing Psychological Education Credit.

(1) through (4) No change.

~~(5) As a condition of biennial licensure renewal, each licensee who holds himself/herself out as a “Qualified Practitioner,” under the definition of Section 947.005(9), Florida Statutes, must complete twenty (20) of the forty (40) hours on the evaluation and treatment of sexual offenders and related legal and ethical issues, in addition to the requirements above.~~

~~(5)(6) No change.~~

Specific Authority 456.013(7), 490.004(4), 490.0085(4) FS. Law Implemented 456.013(7), 490.007(2), 490.0085(1), (3) FS. History— New 1-28-93, 7-14-93, Formerly 21U-13.0042, Amended 6-14-94, Formerly 61F13-13.0042, Amended 2-8-96, 11-18-96, Formerly 59AA-13.003, Amended 1-10-01, 8-5-01, 5-21-02, 6-3-04, 1-2-06, 12-21-06, _____.

- **Rule 64B19-18.001, F.A.C., Qualifications to Evaluate and Treat Sex Offenders as a “Qualified Practitioner”**

During the October 2007 meeting, the Board agreed to notice the repeal of Rule 64B19-18.001, F.A.C., for development pursuant to changes in the underlying statute, s. 947.005, F.S. The rule was noticed for development on December 7, 2007, adopted on January 9, 2008 (tentative) and is scheduled to be made effective January 29, 2008 (tentative).

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-18.001 Qualifications to Evaluate and Treat Sex Offenders as a “Qualified Practitioner”.

~~Prior to holding oneself out as a “Qualified Practitioner,” eligible to evaluate and treat sex offenders, complete a “risk assessment” or prepare a “safety plan,” as defined in Sections 947.005(9), (10), (11), and 948.001(6), (7), (8), F.S., a Florida licensed psychologist shall demonstrate specialized knowledge in the field. Specialized knowledge shall be demonstrated by completing education or training in each of the following areas:~~

~~(1) Theory and research regarding the etiology and diagnostic information regarding sexual deviance and associated conditions. Among the conditions that are the main focus of this area of practice emphasis are those such as:~~

~~(a) Paraphilias;~~

~~(b) Impulse control disorders;~~

~~(c) Psychopathy;~~

~~(d) Psychoactive substance abuse/dependence;~~

~~(e) General criminal behaviors; and~~

~~(f) Cognitive and developmental impairment of sexual offenders;~~

~~(2) Theory and research regarding evaluation, risk assessment and treatment of sex offenders;~~

- ~~(3) Theory and research regarding physiological measures of sexual arousal;~~
- ~~(4) Legal and ethical issues in the evaluation and treatment of sex offenders; and~~
- ~~(5) Adherence to the continuing psychological education requirements governing "Qualified Practitioners," set forth in subsection 64B19-13.003(5), F.A.C.~~

Specific Authority 490.004(4), 947.005(9), 948.001(6) FS. Law Implemented 947.005(9), 948.001(6) FS. History—New 10-23-06, Repealed

- **Rule 64B19-18.004, F.A.C., Use of Test Instruments**

During the July 2007 meeting, the Board agreed to modify Rule 64B19-18.004, F.A.C., to include the following phrase at the end of paragraph (5): "or as a member of a multidisciplinary diagnostic team". The rule was noticed for development on August 31, 2007, adopted on October 29, 2007 and made effective November 18, 2007.

64B19-18.004 Use of Test Instruments.

(1) The Board finds that the inappropriate use of test instruments is harmful to consumers. The Board finds further that a need exists to set out the minimum standard of professional practice maintained and required of psychologists who use test instruments in the psychologist's practice of psychology.

(2) A psychologist who uses test instruments in the psychologist's practice of psychology:

(a) Must consider whether research supports the underlying presumptions which govern the interpretive statements which would be made by the test instrument as a result of its completion by any service user;

(b) Must be able to justify the selection of any particular test instrument for the particular service user who takes the test at the instruction of the psychologist;

(c) Must integrate and reconcile the interpretive statements made by the test instrument based on group norms, with the psychologist's independent professional knowledge, evaluation and assessment of the individual who takes the test;

(d) Must specify in the test report the name of each person who assisted the psychologist in the administration of the test, and the role which that person played in the administration of the test.

(3) A psychologist who uses test instruments may not release test data, such as test protocols, test questions, assessment-related notes, or written answer sheets, except (1) to a licensed psychologist or school psychologist licensed pursuant to Chapter 490, F.S., or Florida certified, or (2) after complying with the procedures set forth in Rule 64B19-19.005, F.A.C., and obtaining an order from a court or other tribunal of competent jurisdiction, or (3) when the release of the material is otherwise required by law. When raw test data is released pursuant to this paragraph, the psychologist shall certify to the service user or the service user's designee that all raw test data from those test instruments have been provided. Psychologists are expected to make all reasonable efforts to maintain the integrity of the test protocols, modalities and instruments when releasing information as provided herein.

(4) In performing the functions listed at subsection (2) of this rule, the psychologist must meet with the test subject face-to-face in a clinical setting unless the psychologist has delegated the work to a psychological intern, psychological trainee or psychological resident in a doctoral psychology program approved by the American Psychological Association.

(5) It shall be a violation of this rule for a psychologist to sign any evaluation or assessment unless the psychologist has had an active role in the evaluation or assessment of the subject as required by subsection (4) of this rule. A psychologist may not sign any evaluation or assessment that is signed by any other person unless the psychologist is signing as a supervisor, in conjunction with an evaluation or assessment performed by a psychological intern, psychological trainee or psychological resident, or as a member of a multidisciplinary diagnostic team.

(6) "Test instruments" are standardized procedures which purport to objectively measure personal characteristics such as intelligence, personality, abilities, interests aptitudes, and neuropsychological functioning including evaluation of mental capacity to manage one's affairs and

to participate in legal proceedings. Examples of such tests include intelligence tests, multiple aptitude batteries, tests of special aptitudes, achievement tests, and personality tests concerned with measures of emotional and motivational functioning, interpersonal behavior, interests, attitudes and other affective variables.

Specific Authority 490.004(4) FS. Law Implemented 490.003(4), 490.009(1)(r), (s), (v), (w) FS. History--New 6-14-94, Formerly 61F13-20.004, Amended 5-19-97, Formerly 54AA-18.004, Amended 3-25-02, 11-18-07.

- **Rule 64B19-18.008, F.A.C., Board Approval of Specialty Certifying Bodies**

Rule 64B19-18.008, F.A.C., was noticed for development on November 9, 2006, adopted on October 12, 2007 and made effective on November 1, 2007.

64B19-18.008 Board Approval of Specialty Certifying Bodies.

To obtain Board approval as a certifying body, eligible to grant formal recognition declaring a licensed psychologist to be a "certified psychology specialist," board-certified psychology specialist," or a "psychology diplomate," pursuant to Section 490.0149, F.S., an applicant shall file a petition demonstrating that it:

(1) Is an independent body, national in scope, that incorporates standards of the profession, collaborates closely with organizations related to specialization in psychology, and only certifies doctoral-level, licensed psychologists as having advanced qualifications in a particular psychological specialty through demonstrations of competence in the specialty being recognized;

(2) Has clearly described purposes, bylaws, policies, and procedures, that include an internal review and budgetary practices, to ensure effective utilization of resources with an administrative staff, housed in dedicated office space that is appropriate for the certifying body's program and sufficient for responding to consumer or regulatory inquiries;

(3) Has established standards for specialized practice of psychology and adopts the American Psychological Association (APA) "Ethical Principles of Psychologists and Code of Conduct," effective June 1, 2003, to guide the practice of its members. The code is incorporated by reference and available for inspection at the Board office as well as at: www.apa.org/ethics/code2002.html; and

(4) Has implemented and documented a comprehensive assessment procedure, designed to measure the competencies required to provide services characteristic of the specialty area, that describes security and grading standards, and consists of an oral examination and peer-review of practice samples and may include a written examination.

Specific Authority 490.0149, 490.004(4) FS. Law Implemented 490.0149 FS. History--New 11-1-07.

ADMINISTRATIVE PROCEEDINGS

REVIEW OF LICENSURE APPLICATION

Tab 5 Kimberlly Buck

Dr. Buck was present and sworn in by the court reporter. Dr. Michael Herkov was present on behalf of the Professionals Resource Network (PRN).

Dr. Buck appeared at the October 2007 Credentials Committee meeting to discuss personal history issues. The Committee approved the application for licensure with the condition that Dr. Buck would agree to undergo a PRN evaluation. Dr. Buck agreed to the evaluation and waived the 90-day requirement for Board action on her application. Jurisdiction was reserved to impose conditions upon approval, based on the result of the PRN evaluation.

The Board reviewed the December 4, 2007 evaluation report provided by PRN. Following discussion, Dr. Rafael Rivas-Vazquez moved to accept the recommendation of PRN. Ms. Cheryl

Levine seconded the motion, which carried 7/0. No additional conditions were imposed upon Dr. Buck's application approval.

PERSONAL APPEARANCES PURSUANT TO §456.013(3)(c), F.S.

Tab 6 Christine Sands

Dr. Sands was present and sworn in by the court reporter.

Following discussion, Dr. Katurah Jenkins-Hall moved to approve the application for licensure. Ms. Martin-Lavielle seconded the motion, which carried 7/0.

Note: From this point, all votes reflect the absence of Dr. Rafael Rivas-Vazquez, who excused himself, with the Chair's approval, for the remainder of the meeting.

Tab 7 Gary Tollman

During the July 2007 meeting, it was requested that Dr. Tollman make a personal appearance to discuss issues pertaining to a previously withdrawn application for licensure. Dr. Tollman did not appear at the October 2007 or the January 2008 meetings of the Board.

Following discussion, Dr. Richard Hoffman moved to deny Dr. Tollman's application for licensure, pursuant to s.456.013(3)(c), F.S. and Rule 64B19-11.010(2), F.A.C. Section 456.013(3)(c), states that applicants who fail to comply with a personal appearance request at either of the next two regularly scheduled board meetings, shall have the application for licensure denied. Rule 64B19-11.010(2), F.A.C., requires that limited licensees must serve underserved or critical need populations which have no other psychologist practicing within a twenty (20) mile radius.

Dr. Katurah Jenkins-Hall seconded the motion, which carried 6/0.

APPLICANTS FROM APA ACCREDITED PROGRAMS FOR EXAMINATION AND LICENSURE AS NOTED

Tab 8 List of applicants

Ms. Martin-Lavielle moved to approve the list of applicants for examination and licensure as noted. Ms. Cheryl Levine seconded the motion, which carried 6/0.

RULE REVIEW AND/OR DEVELOPMENT

Tab 9 Rule 64B19-18.007, F.A.C., Hiring of Psychologist by Consumers to Coach or Consult in Preparation for Custody Evaluations

The Board reviewed Rule 64B19-18.007, F.A.C., in light of the practice of consumer-hiring of licensed psychologists to coach them in preparation for custody evaluations by other licensed psychologists.

Following discussion, Dr. Richard Hoffman agreed to prepare written information for the Board's website and the Florida Psychological Association indicating the Board's opinion that it is unethical to engage in such a practice.

Tab 11 Delegation of Professional Responsibilities or Activities by Licensed Psychologists to Paraprofessionals

During the October 2007 meeting, Dr. Rafael Rivas-Vazquez reported on the status of development of proposed language that would further delineate which activities might be delegated to paraprofessionals.

Due to Dr. Rivas-Vazquez' absence, the Board agreed to table further discussion to the April 2008 meeting.

REPORTS, IF ANY

Tab 13 Herbert Goldstein, Ph.D.

No information reported by the Chair.

Other Board Members:

No information reported by other board members.

LEGISLATIVE UPDATE

During the September 2007 Board Quorum conference call, the Board approved proposed legislative changes to Section 490.005(1)(e), F.S., that would limit the timeframe under which board-approved applicants could practice under supervision.

Dr. Harry Reiff, Florida Psychological Association (FPA) liaison to the Board, was recognized by the Chair and reported that the proposal was currently in bill drafting and will be sponsored by Senator Gwen Margolis and Representative Ronald Brisé.

Tab 14 Executive Director

- Acting Executive Director

Mr. Allen Hall is currently the Acting Executive Director for the Board of Psychology, as well as other boards and councils previously overseen by Ms. Susan Love. Ms. Love recently accepted the position of Manager of the Division of Medical Quality Assurance's (MQA) Compliance Management Unit.

On behalf of the Board, the Chair will write a letter to Ms. Cassandra Pasley, Chief, MQA Bureau of Health Care Practitioner Regulation, expressing its desire to support the permanent appointment of Mr. Allen Hall as Executive Director.

- Expenditures by Function

Informational item.

Tab 15 Credentials Committee Report

The Credentials Committee reconvened to reconsider tab 3 of the Credentials Committee agenda, Dr. Marlene Kazir, who was present during the committee meeting, but was unaware that her application was being considered at that time.

Dr. Kazir was recognized by Committee Chair, Dr. Katurah Jenkins-Hall, and sworn in by the court reporter. Following discussion, Dr. Kazir agreed to withdraw her application.

Dr. Katurah Jenkins-Hall reported to the full Board the Credentials Committee's recommendations. The Committee recommended approval of tabs 2, 4 and 5, withdrawal of tab 3 and that tab 1 be tabled for consideration at the April 2008 meeting.

Ms. Martin-Lavielle moved to ratify the recommendations of the committee. Dr. Richard Hoffman seconded the motion, which carried 6/0.

Tab 16 Continuing Education Committee Report

Ms. Ana Martin-Lavielle reported to the full Board the Continuing Education committee's recommendations.

The Committee recommended approval of tab 1, denial of tab 2 and that tab 3 be tabled for consideration at the March 7, 2008 Credentials Committee conference call.

Dr. Katurah Jenkins-Hall moved to ratify the recommendations and actions of the committee. Dr. Amy Swan seconded the motion, which carried 6/0.

Tab 17 Specialties Committee Report

Dr. Richard Hoffman reported to the full Board the Specialties committee's recommendations.

The Committee recommended denial of tab 1 and approval of tabs 2, 3, 4 and 5. Dr. Amy Swan moved to ratify the recommendations and actions of the committee. Ms. Cheryl Levine seconded the motion, which carried 6/0.

NEW BUSINESS

Tab 18 Use of Psychologist Title by State Agencies

Dr. Harry Reiff provided information to the Board regarding a complaint he filed, with the Inspector General's Office of the Department of Management Services (DMS), regarding the inappropriate use of the title psychologist by certain state agencies.

Following discussion, Dr. Richard Hoffman agreed to write a letter to the DMS Inspector General expressing the Board's shared concerns concerning this practice.

Tab 19 Election of Officers and Committee Assignments

The Board determined the Officer and Committee assignments which follow below.

Board Chair:

Ms. Ana Martin-Lavielle moved that Dr. Richard Hoffman be appointed Board Chair. Ms. Cheryl Levine seconded the motion, which carried 6/0. Dr. Hoffman accepted the appointment.

Vice-Chair:

Dr. Katurah Jenkins-Hall moved that Dr. Amy Swan be appointed as Vice-Chair. Ms. Cheryl Levine seconded the motion, which carried 6/0. Dr. Swan accepted the appointment.

Budget Liaison:

Ms. Cheryl Levine will continue to serve as Budget Liaison.

Legislative Liaison:

Dr. Herbert Goldstein will continue to serve as Legislative Liaison.

Communications Liaison:

Dr. Richard Hoffman will continue to serve as Communications Liaison.

Unlicensed Activity Liaison:

Dr. Amy Swan will continue to serve as Unlicensed Activity Liaison.

Continuing Education Committee:

Ms. Ana Martin-Lavielle, Ms. Cheryl Levine and Dr. Richard Hoffman will continue to serve on the Continuing Education Committee.

Credentials Committee:

Dr. Katurah Jenkins-Hall, Dr. Amy Swan and Dr. Herbert Goldstein will continue to serve on the Credentials Committee.

Specialties Committee:

Dr. Richard Hoffman and Dr. Herbert Goldstein will continue to serve on the Specialties Committee.

Examination Liaison:

Dr. Richard Hoffman will continue to serve as the Examination Liaison.

Impaired Practitioner Liaison:

Dr. Katurah Jenkins-Hall will continue to serve as the Impaired Practitioner Liaison.

Probable Cause Panel:

Dr. Rafael Rivas-Vazquez and Dr. Carol Webster will continue to serve on the Probable Cause Panel.

Ms. Ana Martin-Lavielle moved to ratify the appointments as stated. Ms. Cheryl Levine seconded the motion, which carried 6/0.

Tab 20 Delegation of Authority

The Board reviewed a memorandum from Mr. Hall proposing delegations of authority for the Board.

Dr. Amy Swan moved to ratify the proposed delegations. Ms. Cheryl Levine seconded the motion, which carried 6/0.

OLD BUSINESS

Tab 21 October 26, 2007 General Business Meeting Minutes

Ms. Cheryl Levine moved to accept the minutes. Dr. Amy Swan seconded the motion, which carried 6/0.

Tab 22 November 16, 2007 Board Quorum Call Minutes

Dr. Amy Swan moved to accept the minutes. Dr. Katurah Jenkins-Hall seconded the motion, which carried 6/0.

OTHER BUSINESS AND INFORMATION

Tab 23 Budget Reduction Memo – DOH Testing Services Unit

Informational Item.

Tab 24 APA Professional Psychology Research & Practice Article: An Empirical Survey on Psychological Testing and the Use of the Term Psychological: Turf Battles or Clinical Necessity

Informational Item.

Tab 25 ASPPB Disciplinary Data Report

Informational Item.

Tab 26 ASPPB Winter 2007 Newsletter & Board of Directors Minutes

Informational Item.

Tab 27 PRN Monthly Report for October 2007

Informational item.

Tab 28 Psychology Staff Recognition

Informational item.

ADDENDUM

Tab 29 Inactive Status for Limited License Psychologists

The Board reviewed correspondence from Mr. Hall, Ms. Clark and Ms. Donna Erlich, Department of Health MQA Attorney, concerning whether limited license psychologists should be permitted to continue to select either active or inactive status during licensure renewals. The Board agreed that limited licensees should continue to have a choice of either status at renewal.

Board staff's request to initiate rule development to establish a biennial renewal fee and delinquency fee for limited licensees was also reviewed. Following discussion, Dr. Amy Swan moved to notice Rule 64B19-12, F.A.C., to amend 12.0085 and to create a new rule section regarding the renewal fee for limited licensees. Ms. Martin-Lavielle seconded the motion, which carried 6/0.

ASPPB REPRESENTATION

The Board agreed that Dr. Amy Swan should continue to serve as the Board's liaison at the Association of State and Provincial Psychology Board (ASPPB) meetings.

The meeting adjourned at 4:02 p.m.