

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

**MINUTES
BOARD QUORUM MEETING
BY TELEPHONE CONFERENCE CALL
JUNE 13, 2008**

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.

Dr. Richard Hoffman, Chair, called the meeting to order at approximately 8:05 a.m. Those present for all or part of the meeting, included the following:

MEMBERS PRESENT

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

STAFF PRESENT

Anna King, Program Operations Administrator
Lora Graham, Regulatory Specialist II
Cassandra Smith, Regulatory Specialist I

ASSISTANT ATTORNEY GENERAL

Mary Ellen Clark

REVIEW OF MEDICAL ERRORS COURSE PROVIDER APPLICANTS

1. American College of Addictionology & Compulsive Disorders

During the April 4, 2008 meeting, the Continuing Education Committee requested that the applicant provide more detail on its course content and presentation schedule. The Committee tabled further consideration of the application to the June 13, 2008 Board Quorum conference call. The applicant submitted additional materials, as requested, for the Board's consideration at this meeting.

Following discussion, Dr. Rafael Rivas-Vazquez moved to deny the application to become a continuing education medical errors course provider and the proposed program, pursuant to Section 490.0085, F.S., and Rule 64B19-13.004(1)(a), F.A.C., which requires that the program offered must enhance psychological skills or psychological knowledge.

After further discussion, it was clarified that the application submitted was a continuing education providership application which also incorporated a request for approval of a program entitled "Certified Addictionologist Program" in which one hour had been identified as being "medical errors" course credit approval.

Thereafter, Dr. Herbert Goldstein moved to deny the continuing education provider application as the course title, "Certified Addictionologist Program", would imply that Florida-licensed psychologists taking this course would be permitted to hold themselves out as such, which would violate Section 490.0149, F.S. Section 490.0149, F.S., requires that, prior to a licensed psychologist holding themselves out as certified in a specialty area, the certifying entity must petition the Board for approval.

Dr. Rafael Rivas-Vazquez seconded the motion, which carried 7/0.

2. University of Florida, Department of Clinical Health & Clinical Psychology

A representative was not present for the University of Florida.

Following discussion, Dr. Herbert Goldstein moved to approve the application to become a medical errors provider. Ms. Ana Martin-Lavielle seconded the motion, which carried 7/0.

REVIEW OF PETITIONS FOR DECLARATORY STATEMENT

3. Maria Fernandez re: Applicability of §490.0149, F.S., to Use of the Nationally Certified School Psychologist (NCSP) Credential

Dr. Fernandez was not present.

Dr. Fernandez filed a petition regarding the ability to use the Nationally Certified School Psychologist (NCSP) credential. Following discussion, Dr. Herbert Goldstein moved to deny the ability to use the title pursuant to s. 490.0149, F.S. Ms. Cheryl Levine seconded the motion, which carried 7/0.

It was also suggested that legislative action might be undertaken to specify application of this particular law to the profession of school psychology.

4. Randi Most re: Rule 64B19-19.006, F.A.C. & §490.009, F.S., Reporting Impaired Drivers to the Department of Highway Safety & Motor Vehicles

Dr. Most was present.

Dr. Most filed a petition regarding whether it is permissible to report a patient as an impaired driver to the Department of Highway Safety & Motor Vehicles, when the patient is unwilling to provide consent for release of said information. Dr. Herbert Goldstein moved to respond to the petition in the affirmative. Ms. Cheryl Levine seconded the motion, which carried 7/0.

The Board agreed that the doctor/patient confidentiality privilege could be waived under s. 490.0147(3), F.S., which provides permission to report under the circumstances indicated therein. It was stated further that the licensee would have the burden to establish "clear and immediate probability of physical harm".

RULE DEVELOPMENT

5. Delegation of Professional Responsibilities or Activities by Licensed Psychologists to Paraprofessionals

In July 2007, the Board undertook discussion on s. 490.009(1)(s), F.S., and Rule 64B19-18.004, F.A.C., with regard to the pros and cons of further specifying the type of professional activities that may or may not be delegated. Dr. Rafael Rivas-Vazquez originated consideration of the topic and agreed to work with Board staff on developing language to address the issue.

After additional discussion at subsequent meetings, Dr. Rafael Rivas-Vazquez prepared and provided draft preliminary language for the Board's consideration during the June 2008 Board Quorum conference call.

During the conference call, the Board agreed to continue further discussion at the July 25, 2008 General Business meeting. Board Counsel, Ms. Mary Ellen Clark, will prepare a draft rule based on Dr. Rafael Rivas-Vazquez' proposed language and identify underlying statutes that may support the language.

Dr. Harry Reiff, who serves as the Florida Psychological Association's (FPA) liaison to the Board, was present and addressed the Board at this time. He indicated that he would be willing to take this issue back to the FPA to solicit assistance from the association's legislative committee.

Dr. Reiff also notified the Board that HB 803 (2008) had been signed. HB 803 requires the Board to close the application of any applicant who fails to pass the licensure examination or submit evidence of completing postdoctoral training within a specified period.

REVIEW OF MINUTES

6. June 6, 2008 Credentials Committee Meeting Minutes

Ms. Ana Martin-Lavielle moved to approve the minutes and ratify the recommendations of the committee. Dr. Amy Swan seconded the motion, which carried 7/0.

APPLICANTS FROM APA ACCREDITED PROGRAMS FOR EXAMINATION AND LICENSURE AS NOTED

7. List of Applicants

Dr. Rafael Rivas-Vazquez moved to approve the list of APA-approved applicants as noted. Ms. Cheryl Levine seconded the motion, which carried 7/0.

8. ADDENDUM – REVIEW OF POST-DOCTORAL SUPERVISION - Christine Lloyd

Dr. Lloyd was present on the call. Dr. Wiley Mittenberg and Dr. Casey Haddix, Dr. Lloyd's post-doctoral supervisors, were also present.

Dr. Lloyd was previously approved by the Board under the Bifurcation/Examination with Waiver method. Dr. Lloyd thereafter submitted post-doctoral supervision verification forms from Dr. Mittenberg and Dr. Haddix towards completing her file for licensure.

Dr. Mittenberg's verification form showed that Dr. Lloyd did not receive any clinical or face-to-face supervision hours while under his training. Dr. Haddix' verification form showed only 33 weeks over which the applicant might have obtained the required 2 hours of clinical and 1 hour of face-to-face supervision. Generally, applicants are expected to have obtained a minimum of 104 clinical hours with 52 of those hours being face-to-face.

Following discussion, Dr. Lloyd waived the 90 day requirement for Board action on her application and agreed to submit an amended Supervising Psychologist Verification form from Dr. Haddix reflecting additional hours gained since the submission of the first form. Dr. Lloyd's supervision will again be reviewed at the July 25, 2008 General Business meeting.

The meeting was adjourned at 9:26 a.m.