

**DEPARTMENT OF HEALTH
BOARD OF PSYCHOLOGY
GENERAL BUSINESS MEETING
OCTOBER 14, 2011
MINUTES
(Draft)**

**EMBASSY SUITES
1100 SE 17TH STREET
FT. LAUDERDALE, FLORIDA 33316
(954) 527-2700**

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

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

STAFF PRESENT

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

ASSISTANT ATTORNEY GENERAL

Lynette Norr, Esq.

COURT REPORTER

Fernando Subirats
Apex Reporting Group
12 S.E. 7th Street, Suite 702
Ft. Lauderdale, FL 33301-3313

Dr. Harry Reiff, Chair, called the Credentials Committee meeting to order at approximately 8:08 a.m.

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

CONVENE THE CREDENTIALS COMMITTEE

Tab 1. Carmody, Dennis Endorsement of Other State License

Dr. Carmody applied for licensure by endorsement of his 1985 New York license. Following discussion, Dr. Rafael Rivas-Vazquez moved to approve the application for licensure. Dr. Harry J. Reiff seconded the motion, which carried 2/0.

Tab 2. Perymon-Manuel, Dawn Examination

Dr. Perymon-Manuel was present and was not represented by counsel. She was sworn in by the court reporter.

Following discussion, Dr. Rafael Rivas-Vazquez moved to approve the application with the following conditions:

- After licensure, 1 year of supervision by a licensed psychologist for 1 hour per week;
- The supervisor is required to submit quarterly reports in regard to Dr. Perymon-Manuel's knowledge of ethics, the laws, and rules of the practice of psychology;
- Dr. Perymon-Manuel and her supervisor are required to appear before the Board prior to the completion of the supervised experience.

Dr. Harry J. Reiff seconded the motion, which carried 2/0.

The grounds for the imposed conditions are Section 490.029(1)(r) F.S., and Section 490.012(1)(a) F.S. Dr. Perymon-Manuel is required to provide the Board Chair with the names of 3 potential supervisors which she has no previous relationship, for approval prior to the issuance of her license.

Tab 3. Ramharacks, Udayram Endorsement of Other State License

Dr. Ramharacks was present and was not represented by counsel. He was sworn in by the court reporter.

Dr. Ramharacks applied for licensure by endorsement of his 2005 New York license. During the discussion he requested to withdraw his application. Dr. Rafael Rivas-Vazquez moved to allow Dr. Ramharacks to withdraw his application for licensure. Dr. Harry J. Reiff seconded the motion, which carried 2/0.

The meeting adjourned at approximately 9:06 a.m.

Immediately Following Credentials Committee:

CONTINUING EDUCATION COMMITTEE MEETING

MEMBERS PRESENT

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

STAFF PRESENT

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

ASSISTANT ATTORNEY GENERAL

Lynette Norr, Esq.

COURT REPORTER

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12 S.E. 7th Street, Suite 702
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Dr. Luis Orta, Chair, called the Continuing Education meeting to order at approximately 9:07 a.m.

(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. Jessica Blanco-Marchena
“Externships in Emotionally Focused Therapy”
Course No.: 20-332021

Following discussion, Dr. Dean Aufderheide moved to approve the application for continuing education provider status, and the corresponding course. Dr. Luis Orta seconded the motion, which carried 2/0.

Tab 2. UHS Youth Services
“Eating Disorders and Substance Abuse”
Course No.: 20 – 321353

Following discussion, Dr. Dean Aufderheide moved to approve the application for continuing education provider status, and the corresponding course. Dr. Luis Orta seconded the motion, which carried 2/0.

Tab 3. Brinkley Morgan
“Divorce Law Seminar for Mental Health Professionals”
Course No.: 20 – 325606

Following discussion, Dr. Dean Aufderheide moved to approve the application for continuing education provider status, and the corresponding course. Dr. Luis Orta seconded the motion, which carried 2/0.

Tab 4. James M. Adams
“Using Metaphor in Psychotherapy: Advanced Techniques and Theory”
Course No.: 20 – 318073

Following discussion, Dr. Dean Aufderheide moved to approve the application for continuing education provider status, and the corresponding course. Dr. Luis Orta seconded the motion, which carried 2/0.

Dr. Dean Aufderheide moved to adjourn. Dr. Luis Orta seconded the motion, which carried 2/0. The meeting adjourned at approximately 9:13.

GENERAL BUSINESS MEETING

Rafael Rivas-Vazquez, Chair, called the General Business meeting to order at approximately 9:28 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

Lynette Norr, Esq.

ASSISTANT GENERAL COUNSEL

Adrienne Rodgers, Esq.

COURT REPORTER

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12 S.E. 7th Street, Suite 702
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DISCIPLINARY PROCEEDINGS

MOTION FOR DETERMINATION OF WAIVER AND ENTRY OF FINAL ORDER

Tab 1. Steven Mark Dubin, (p/c/p Luis Orta, Carol Webster, Herbert Goldstein, Anna Martin Lavielle)

Dr. Dubin was charged with violating Section 490.009(1)(p), F.S. (2009) by being unable to practice the profession for which he is licensed with reasonable skill or competence as a result of any mental or physical condition, or by reason of illness, drunkenness, or substances abuse.

Dr. Dubin was not present and was not represented by counsel. Dr. Luis Orta recused himself from the proceedings due to his participation on the probable cause panel. During the discussion, the Board was addressed by Michael Herkov, Ph.D., of Professionals Resource Network, Inc. (PRN).

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

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

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.

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.

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.

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 suggestion following this action on the suggestion. Dr. Dean Aufderheide seconded the motion, which carried 3/0.

Dr. Harry Reiff moved to impose:

- Reprimand;
- Fine \$1,000 paid within 12 months of contacting and contracting with PRN;

-Indefinite suspension of license until he provides the Board with adequate evidence that he is capable of practicing with reasonable skill and safety including, but not limited to, an evaluation by PRN, probation for 10 years after PRN supervision concludes. The Board reserves jurisdiction in regard to the parameters of the probation.

Dr. Dean Aufderheide seconded the motion, which carried 3/0.

Dr. Dean Aufderheide moved to approve the recommended cost of \$2487.71, to be paid within 12 months of contacting and contracting with PRN. Dr. Harry Reiff seconded the motion, which carried 3/0.

MOTION FOR BOARD'S FINAL ORDER ADOPTING SETTLEMENT

Tab 2. Judith Strickland Sims, Case No. 2008-19315 (p/c/p Rafael Rivas-Vazquez, Carol Webster, Herbert Goldstein)

Dr. Sims was charged with violating section 490.009(1)(w) F.S. (2002-2006) by violating section 64B19-19.0025(1), F.A.C. (1999-2006), and 64B19-19.0025(4), F.A.C. (2001-2006); violating 490.009(1)(u), F.S., (2001-2006) by failing to maintain confidence in communications with a patient or client in the context of services; violating 490.009(1)(r), F.S. (2001-2006) 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; and violating section 456.072(1)(a), F.S. (2004-2006) by making misleading, deceptive, or fraudulent representations related to practice.

Dr. Sims was present and accompanied by her attorney Bruce M. Stanley, Esq. They were both sworn in by the court reported. Dr. Rafael Rivas-Vazquez recused himself from the proceedings due to his participation on the probable cause panel.

[...]

Tab 3. Michael Francis Walczak, Case No. 2004-29150 (p/c/p Rafael Rivas-Vasquez and Juliet Lewis)

Dr. Walczak was charged with violating section 490.009(1)(r), F.S. (2001, 2002, 2003), for failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance for maintaining a dual relationship with the parent of his minor patient. Dr. Walczak was also charged with violating section 456.072(1)(u), F.S. (2002,2003) by entering into a sexual relationship, as defined by section 456.063(1), F.S., with the parent, an immediate family member of his minor patient.

Dr. Walczak was present and accompanied by his attorney Christopher Brown, Esq. They were both sworn in by the court reported. Dr. Rafael Rivas-Vazquez recused himself from the proceedings due to his participation on the probable cause panel.

[...]

PROSECUTOR'S REPORT

Tab 4. Adrienne Rodgers, Esq.

Ms. Rodgers provided the prosecutor's report outlining the current status of the forty-one (41) open disciplinary cases, as of September 20, 2011.

Number of complaints under review by a department prosecutor:	12
Number of complaints drafted for probable cause:	13
Number of complaints with supplemental/ expert requests:	3
Litigation requested or at DOAH:	10
Number complaints pending settlement approval by Board:	2
Number of complaints set for Board review (other):	1

29 of the above cases are more than one year old. Dr. Luis 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

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

Tab 5. Nicole Stewart (Examination)

Dr. Stewart's application for licensure was approved by the Board via ratification of the October 24, 2008 APA applicant list. The application record reflects that Dr. Stewart was on active duty with the U.S. Navy.

As per the requirements of Section 490.005(3)(a), Florida Statutes, Dr. Stewart's file was scheduled to close on January 1, 2011 because she had not successfully completed the national examination requirement for licensure. During the November 19, 2010 full Board quorum conference call, the Board granted Dr. Stewart's request for a 12-month extension to complete the outstanding requirements for licensure.

On December 20, 2010, the Department of Health's (DOH) Inspector General's Office received an inquiry from the Naval Criminal Investigative Service (NCIS) seeking to authenticate two letters, on DOH letterhead, provided to them by Dr. Stewart. One letter indicated that Dr. Stewart had been issued a license. The second letter indicated that the license had been issued in error. Both letters were ultimately found to be fraudulent. Records of this in regard to the specific details surrounding this incident were provided to the Board to determine whether to reconsider approval of Dr. Stewart's application for licensure.

During the July 2011 meeting, the Board agreed to reconsider the application for licensure in light of a potential material change in the applicant's personal history, and required Dr. Stewart to make a personal appearance before the Board.

Following discussion, Dr. Dean Aufderheide moved to deny the application for licensure. Dr. Harry Reiff seconded the motion which carried 4/0.

The bases for the denial of licensure are sections 490.009(1)(a) F.S.; 490.009(1)(h) F.S.; 490.009(1)(i) F.S.; 490.009(1)(l) F.S.; 490.009(1)(r) F.S.; 490.009(1)(t) F.S.; and 490.009(1)(w) F.S.

Dr. Dean Aufderheide was excused from the remainder of the meeting in order to attend to another obligation.

APPLICANTS FROM APA ACCREDITED PROGRAMS FOR EXAMINATION AND LICENSURE AS NOTED

Tab 6. List of Applicants

Dr. Harry Reiff moved to approve the list of applicants. Dr. Luis Orta seconded the motion, which carried 3/0.

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

Tab 7. List of Applicants

Dr. Luis Orta moved to approve the list of applicants. Dr. Harry Reiff seconded the motion, which carried 3/0.

REVIEW OF APPLICATION FOR CONTINUING EDUCATION PROVIDER STATUS

Tab 8. Dr. Carol L Clark

“Treatment of Sexual Dysfunctions, Disorders, and Deviancy I”
Course No.:20-292819

Dr. Clark was present and was not represented by counsel. She was sworn in by the court reporter.

Following discussion, Dr. Harry Reiff moved to approve the application for continuing education provider status, and the corresponding course. Dr. Luis Orta seconded the motion, which carried 4/0.

PROPOSED LEGISLATION

Tab 9. Delegation of Professional Responsibilities or Activities by Licensed Psychologists to Paraprofessionals

During the discussion, the Board was addressed by:

Dr. Carolyn Stimel, Florida Psychological Association (FPA), Director of Professional Affairs

Dr. David Kazar, Licensed Psychologist

Dr. Lanore Walker, American Board of Professional Psychology, Florida Chapter

During the July 2011 meeting the Board considered providing an internet based survey on the Board website for input and comments from interested parties. Staff was asked to continue the development of the survey and presented the proposed survey to the Board along with the most recent version of the proposed legislative language.

The Board entertained comments from the audience which reflected concern in regard to the anonymity for the survey responders, and potential prosecution as a result of survey responses revealing unfavorable activities in practice.

The Board discussed way to alleviate the concerns of the potential participants that individual data will not be presented to the Board, potential through an introductory statement or disclaimer. The data from the survey will only be used for information gathering purposes, to facilitate the finalization of the language of the proposed legislation.

The Legislative Committee will meet in November to finalize the survey questions. The survey approved by the Board will be provided to the Department's Strategic Planning Services for implementation of the survey and preparation of a summary report.

Potential Survey Questions:

1. Are you a licensed Florida psychologist? If not, do you hold a license in another state?

- yes
- licensed in another state
- no, I do not hold a psychology license

2. Do you use psychology extenders/assistants in your practice or other health care setting in which you are employed?

- yes
- no
- N/A

3. What psychology-related tasks or activities do the extenders/assistants perform in your practice or other health care setting? Check all that apply.

- History taking
- Performing mental status examinations
- Administering and scoring psychometric instruments
- Interpreting psychometric data
- Rendering diagnosis
- Psychotherapy
- Biofeedback
- Relaxation Training
- Implementing behavioral management protocols
- Collecting behavioral data
- Conducting family therapy
- Conducting group therapy
- Conducting cognitive skills training
- Making mental health status or behavioral impressions during testing

4. What psychology-related tasks or activities should the extenders/assistants be able to perform? Check all that apply.

- History taking
- Performing mental status examinations
- Administering and scoring psychometric instruments
- Interpreting psychometric data
- Rendering diagnosis
- Psychotherapy
- Biofeedback
- Relaxation Training
- Implementing behavioral management protocols
- Collecting behavioral data
- Conducting family therapy
- Conducting group therapy
- Conducting cognitive skills training

Making mental health status or behavioral impressions during testing

5. Are there specific psychology-related tasks that you believe would be inappropriate to delegate to extenders/assistants? Check all that apply.

- History taking
- Performing mental status examinations
- Administering and scoring psychometric instruments
- Interpreting psychometric data
- Rendering diagnosis
- Psychotherapy
- Biofeedback
- Relaxation Training
- Implementing behavioral management protocols
- Collecting behavioral data
- Conducting family therapy
- Conducting group therapy
- Conducting cognitive skills training
- Making mental health status or behavioral impressions during testing

6. Which of the following tasks or activities should a psychologist complete with each patient or client, prior to delegating certain tasks? Check all that apply.

- Diagnostic interviewing
- Diagnostic determinations
- Psycholegal determinations
- Treatment or psychotherapeutic interventions
- Records Review
- Other, 1. _____ 2. _____ 3. _____

7. How many extenders/assistants do you employ, supervise, or contract with, to perform psychology-related services in your practice or other health care setting?

- 0
- 1-3
- 4-6
- 7-9
- 10 or more

8. For extenders/assistants, is special training offered to do certain tasks? Check all that apply.

- yes
- yes, on site training
- yes, off site coursework or training
- no
- associates degree required
- bachelors degree required
- masters degree required

9. Is the supervisor required to be on the premises at all times that delegated tasks are being carried out?

- yes
- no

10. If the supervisor is not required to always be on the premises, are there other means by which they may be readily contacted by the extender/assistant? Check all that apply.

- no
- yes, verbal discussion by cellular phone or land line phone
- yes, written comments via e-mail, text or other internet communication (i.e. Skype, Twitter, etc.)

11. If the supervisor is not required to always be on the premises, are there protocols in place for routine and emergency situations?

- no
- yes:

Description of Routine protocol:

Description of Emergency protocol:

Current draft language:

490.xxx

- (1) Definition. – As used in this section, “psychological assistant” means an individual not otherwise licensed as a health care practitioner in a profession regulated under Section 456, F.S., or certified by the state of Florida possessing as a minimum, a bachelors degree in psychology ~~a bachelor or masters degree in psychology~~, education or a health related field, who receives training and supervision in various duties related to the practice of psychology by a psychologist licensed pursuant to Chapter 490, F.S. A psychological assistant assists with patient care, administrative, and managerial functions, and shall adhere to the same ethical, legal, and practice standards as does a psychologist.
- (2) A psychologist licensed pursuant to Chapter 490, F.S., shall ~~directly~~ supervise and be responsible for all delegated acts performed by a psychological assistant under her or his ~~direct~~ supervision.
- (3) As used in this section ~~direct~~ supervision requires that the supervising psychologist shall sufficiently monitor and be ~~reasonably~~ available whenever a psychological assistant is performing any delegated duty listed in section (6).
- (4) The supervising psychologist shall be available for emergency consultation and direction of a psychological assistant, and for patient intervention and management.

- (5) A psychologist licensed pursuant to Chapter 490, F.S., shall not delegate diagnostic interviewing, diagnostic or forensic psychological determinations or treatment (or psychotherapeutic) interventions to a psychological assistant, unless that psychological assistant is also a psychology practicum student, psychology intern, or psychology resident.
- (6) Before delegating duties to a psychological assistant, other than administrative and managerial functions, the supervising psychologist must first complete a diagnostic interview, or shall first review existing diagnostic records, of the service recipient in order to determine the appropriateness of such delegation.
- (7) Delegated duties include:
- (a) gathering history and behavioral data, as long as such data does not involve clinical judgments or clinical inferences
 - (b) administering and scoring those psychometric assessments selected by a psychologist
 - (c) implementing cognitive skills training as designed or prescribed by a psychologist
 - (d) implementing behavioral programs as designed or prescribed by a psychologist
 - (e) implementing biofeedback programs or relaxation training as designed or prescribed by a psychologist.
- (8) A psychological assistant shall not hold herself or himself out to the public as a psychologist, or as independently providing psychological services.
- (9) The Board shall establish by rule as it deems necessary a training and supervision verification process for a psychological assistant, and shall establish by rule as it deems necessary additional tasks clarifying, or adding to, the delegated duties listed in section (6).
- (10) This section shall become effective on January 1, 20XX.

RULES REVIEW AND/OR DEVELOPMENT

Tab 10. 64B19-11.001, F.A.C., Examination

During the meeting the meeting, the Board reviewed the following draft language:

64B19-11.001 Examination.

(1)-(3) No Change.

(4)(a) A candidate for licensure by examination who fails to pass one part of the examination shall only be required to retake and pass that part of the examination which was failed. The application for re-examination of the Florida laws and rules examination shall be made on the Re-Examination Application/Laws and Rules Exam form DH-MQA 1221 (revised ~~10/11/10~~10/09), hereby adopted and incorporated by reference. The application for re-examination of the EPPP shall be made on the Re-Examination Application/National Exam form DH-MQA 1222 (revised 10/09), hereby adopted and incorporated by reference. Upon notice from the Department's Testing Services Unit of an applicant's unsuccessful scores(s), the Board Office will send the appropriate re-examination form(s) to the affected applicant.

(b) No Change.

Rulemaking Authority 456.017(1)(b), (c), 490.004(4) FS. Law Implemented 456.017(1)(b), (c), (d), (6), 490.005 FS. History—New 4-4-82, Amended 7-11-84, Formerly 21U-11.03, Amended 2-19-86, 12-30-86, 3-10-87, 11-21-88, 3-5-90, 1-16-92, Formerly 21U-11.003, Amended 6-14-94, Formerly 61F13-11.003, Amended 1-7-96, 6-26-97, Formerly 59AA-11.001, Amended 2-21-99, 5-1-00, 1-10-01, 8-5-01, 4-26-04, 5-10-05, 2-24-10.

Following discussion, Dr. Harry Reiff moved to accept the proposed rule language as amended. Dr. Luis Orta seconded the motion which carried 3/0.

Dr. Harry Reiff 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. Luis Orta seconded the motion, which carried 3/0.

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.

Dr. Luis Orta moved to submit the proposal to the Department of State, and the Office of Fiscal Accountability and Regulatory Reform, for comments. Dr. Harry Reiff seconded the motion, which carried 3/0.

Tab 11. 64B19-11.012, F.A.C., Application Forms

During the meeting the meeting, the Board reviewed the following draft language:

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 10/1104/14), "Application for Psychologist Licensure," which is incorporated herein by reference and which may be obtained from 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.

Dr. Luis Orta moved to accept the proposed rule language as amended, and changes to the application. Dr. Harry Reiff seconded the motion, which carried 3/0.

Dr. Harry Reiff 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. Luis Orta seconded the motion, which carried 3/0.

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

Dr. Harry Reiff moved to submit the proposal to the Department of State, and the Office of Fiscal Accountability and Regulatory Reform, for comments. Dr. Luis Orta seconded the motion, which carried 3/0.

Tab 12. 64B19-12.002, F.A.C., Application and Examination Fee for Licensure by Examination; Review Fee.

64B19-12.002 Application and Examination Fee for Licensure by Examination; Review Fee.

(1) The application fee for licensure by examination is \$375.00.

(2) When the board certifies the applicant to sit for the examination, it is the applicant's responsibility to complete the examination process with the national vendor.

(3) In addition to the application fee specified above, each applicant for certification for examination shall submit a laws and rules examination fee of \$85.00~~150.00~~.

(4) An applicant who fails to take the laws and rules examination for which the applicant is initially

scheduled shall remit the examination fee required by Rule 64B19-12.003, F.A.C., again before being allowed to sit for the next subsequent examination.

(5) An applicant who wishes to review the applicant's own Florida laws and rules examination shall remit a fee of ~~\$85.00~~~~450.00~~.

Rulemaking Authority 456.013(2), 490.004(4), 490.005(1)(a) FS. Law Implemented 456.013(2), 456.017, 490.005(1)(a) FS. History—New 2-22-82, Amended 7-2-84, Formerly 21U-12.02, Amended 11-21-88, 8-12-90, 1-16-92, Formerly 21U-12.002, Amended 10-12-93, 6-14-94, Formerly 61F13-12.002, Amended 1-7-96, 6-26-97, Formerly 59AA-12.002, Amended 12-3-98, 6-28-00, 8-8-01, 2-12-04, 10-31-05, 1-28-07, 2-18-10, 5-23-10.

Following discussion, Dr. Harry Reiff moved to accept the proposed rule language as amended. Dr. Luis Orta seconded the motion which carried 3/0.

Dr. Harry Reiff 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. Luis Orta seconded the motion which carried 3/0.

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

Dr. Harry Reiff moved to submit the proposed rule to the Department of State, and the Office of Fiscal Accountability and Regulatory Reform, for comments. Dr. Luis Orta seconded the motion which carried 3/0.

Tab 13. 64B19-12.003., F.A.C., Reexamination Fee

64B19-12.003 Reexamination Fee.

The reexamination fee for only the Florida laws and rules examination is ~~\$85.00~~~~450.00~~. Additional fees will be required by the examination vendor.

Rulemaking Authority 456.017(2), 490.004(4) FS. Law Implemented 456.017(1)(c), (2) FS. History—New 2-22-82, Amended 7-11-84, Formerly 21U-12.03, Amended 7-18-88, 8-12-90, 1-16-92, Formerly 21U-12.003, Amended 10-12-93, Formerly 61F13-12.003, Amended 1-7-96, Formerly 59AA-12.003, Amended 12-3-98, 1-10-01, 8-8-01, 2-12-04, 10-31-05, 4-8-07, 2-18-10.

Following discussion, Dr. Harry Reiff moved to accept the proposed rule language as amended. Dr. Luis Orta seconded the motion which carried 3/0.

Dr. Harry Reiff 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. Luis Orta seconded the motion which carried 3/0.

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

Dr. Harry Reiff moved to submit the proposed rule to the Department of State, and the Office of Fiscal Accountability and Regulatory Reform, for comments. Dr. Luis Orta seconded the motion which carried 3/0.

Tab 14. 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 discussion, the Board was addressed by:

Dr. Carolyn Stimel, Florida Psychological Association (FPA), Director of Professional Affairs
Dr. David Shperio, Licensed psychologist

The decision as to whether or not to repeal or modify the rule will be discussed during a meeting of the Legislative Committee.

RULE STATUS REPORT

Tab 15. Donna McNulty, Assistant Attorney General

- 64B19-11.0035, F.A.C., Licensure by Examination; Proof Satisfactory to the Board for the Purpose Of Determining Eligibility for Examination
- 64B19-11.005, F.A.C., Supervised Experience Requirements
- 64B19-11.012, F.A.C., Application Form
- 64B19-12.007, F.A.C., Biennial Inactive Renewal Fee
- 64B19-18.007, F.A.C., Requirements for Forensic Psychological Evaluations of Minors for the Purpose of Addressing Custody, Residence or Visitation Disputes

Informational item.

REPORTS, IF ANY

Tab 16. Rafael Rivas-Vazquez, Ph.D.

Other Board Members:

There were no reports by the Board Chair or other Board members.

Tab 17. Executive Director

Report topics

- Annual Revenue and Cash Balance Projections
- Cash Balance Reports
- Expenditures by Function Report

Dr. Harry Reiff inquired about the feasibility of reducing the licensure application fee. Mr. Allen Hall will research the potential to reduce the application processing fee and the initial licensure fee and provide a response at the January 2012 meeting.

Tab 18. Credentials Committee Report

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

The committee recommended approval of the applicants in tab 1, and tab 2. The applicant in tab 3 was allowed to withdraw his application.

Dr. Luis Orta moved to ratify the recommendations of the Credentials Committee. Dr. Harry Reiff seconded the motion, which carried 3/0.

Tab 19. Continuing Education Report

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

The committee recommended approval of the applicants in tab 1, tab 2, tab 3, and tab 4.

Dr. Harry Reiff moved to ratify the recommendations of the Continuing Education Committee. Dr. Luis Orta seconded the motion, which carried 3/0.

NEW BUSINESS

Tab 20. Use of Term *Board Certified Behavioral Analyst* by Licensed Psychologists

The Board discussed the use of the term “Board Certified Behavioral Analyst” by Licensed Psychologists. Pursuant to rule 64B19-18.008, a licensed psychologist may only declare a “board certified” specialty if the certifying body is approved by the Florida Board of Psychology. The Board encouraged certifying bodies in this specialty to apply for approval in order to avoid sanctions for improperly declaring board certification. Board staff will send a letter to the certifying bodies to make the aware of the rule and the potential implications for their certified specialists.

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.

OLD BUSINESS

Tab 21. July 22, 2011 General Business Meeting Minutes

Dr. Harry Reiff moved to accept the minutes. Dr. Luis Orta seconded the motion, which carried 3/0.

Tab 22. September 14, 2011 Legislative Subcommittee Call Meeting Minutes

Dr. Luis Orta moved to accept the minutes. Dr. Harry Reiff seconded the motion, which carried 3/0.

Tab 23. September 23, 2011 Board Quorum Call Meeting Minutes

Dr. Luis Orta moved to accept the minutes. Dr. Harry Reiff seconded the motion, which carried 3/0.

OTHER BUSINESS AND INFORMATION

Tab 24. Dr. Harry Reiff: Discussion of Various ASPPB Topics Previously Presented

During the Discussion the Board was addressed by the following individuals:

Ms. Connie Galietti, Florida Psychological Association (FPA), Executive Director
Dr. Dianne McKay, Florida Psychological Association (FPA), President Elect
Dr. Carolyn Stimel, Florida Psychological Association (FPA), Director of Professional Affairs

Beginning with the January 2011 meeting, Dr. Harry Reiff provided presentations on the following topics discussed during the October 2010 ASPPB meeting which he attended.

- Practice Analysis & Competency
- Maintenance of Competency Post-Licensure
- Continuing Professional Development
- Telepsychology Practice

Dr. Harry Reiff suggested that the Board begins work on exploring ways to expand the methods through a licensee can acquire the required continuing education outside of coursework or seminars.

Tab 25. 2011 MQA Board/Council Chairs & Vice-Chairs Annual Meeting

Information item

Following discussion, Dr. Harry Reiff moved to nominate Dr. Rafael Rivas-Vasquez as the Board Legislative Liaison. Dr. Luis Orta seconded the motion which carried 3/0. Dr. Rafael Rivas-Vasquez accepted the appointment.

Tab 26. ASPPB Disciplinary Data Report

Information item

Tab 27. ASPPB Meeting Minutes

Information item

Tab 28. Psychology Staff Recognition

Information item

Dr. Luis Orta moved to adjourn. Dr. Harry Reiff seconded the motion, which carried 3/0. The meeting ended at approximately 4:47p.m.

APA List 10/14/2011 (Addendum)

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. Babcock, Sue E	7326	Argosy University, Twin Cities	Clinical
2. Blenman, Rashaana Adula	7343	Argosy University, Atlanta	Clinical
3. Brancaleoni, Diohn	7347	Alliant International Univ. Fresno	Clinical
4. Calvo-Blanco, Jessica Leigh	7353	Nova Southeastern University	Clinical
5. Collins, Melinda Denise	7289	University of Miami	Clinical
6. Dum, Mariam	7334	Nova Southeastern University	Clinical
7. Hiltbrand, Lacy B.	7331	Argosy University, Chicago	Clinical
8. Johnson, Emily Ann	7314	University of Florida	Clinical
9. Karfis, Despina	7161	Carlos Albizu University, Miami	Clinical
10. King, Danielle Ranae	7340	Wheaton College, Illinois	Clinical
11. Levy, Stephanie Joy	7335	Nova Southeastern University	Clinical
12. Maldonado, Carmen	7018	Carlos Albizu University	Clinical
13. Marton, Deborah Ann	7332	Yeshiva University	Clinical
14. Mikolic, Karen Marie	7349	Palo Alto University	Clinical
15. Napoles, Stella Marie	7268	Carlos Albizu University	Clinical
16. Ney, Emilie Ann	7337	Texas A&M University	School
17. Rials, Brandi	7315	Argosy University, Chicago	Clinical
18. Robinson, Diane Caroline	7338	University of Central Florida	Clinical
19. Rosenblatt, Rachel	7309	Florida Institute of Technology	Clinical
20. Rush, Marie Mangin	7346	Carlos Albizu University	Clinical
21. Vazquez Berio, Teresa	7344	Carlos Albizu University	Clinical
22. Watson, Melanie	7312	University of Florida	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. Blanco, Marisol	7308	Nova Southeastern University	Clinical
2. Brownfeld, Adam D.	7329	Gallaudet University	Clinical
3. Diamond, Stephanie E	7342	University of Miami	Counseling
4. Mackintosh, Randi Celia	7348	Florida Institute of Technology	Clinical
5. Maybouer, Sara Elizabeth	7320	North Carolina State University	School
6. Paula, Tamara Sorel	7350	University of Miami	Counseling
7. Phillips, Kristin Michelle	7341	University of Miami	Clinical
8. Sandusky, Stacey Boley	7333	University of Maryland	Clinical
9. Toll, Pamela	7354	Immaculata University	Clinical

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. Dombroff, Gary	7336	George Peabody Vanderbilt University	Combined
2. Goldstein, Harvey Alan	7352	American University	
3. Worden, Timothy J	7328	University of South Florida	Clinical

Endorsement of ABPP Diplomate Status

Applicants by ABPP Endorsement have met all the 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. Malcolm, Bruce Edward	7319	Forest Institute of Professional Psych	Clinical

Provisional Licensure Applicants:

Name	File	University	Major
1. Polsky, Jaclyn H.	200	Nova Southeastern University	Clinical

Limited Licensure Applicants:

Name	File	University	Major
2. Gordon, Jerome Arthur	1	Temple University	Education