

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

**MINUTES  
GENERAL BUSINESS MEETING  
OCTOBER 26, 2007**

**Marriott Tampa Airport  
Tampa International Airport  
Tampa, FL 33607  
(813) 879-5151**

**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**

Susan Love, Executive Director  
Allen Hall, Program Operations Administrator  
Anna L. Hart King, Regulatory Specialist II

**ASSISTANT ATTORNEY GENERAL**

Mary Ellen Clark

**COURT REPORTER**

Cynthia L. Varney  
Executive Reporting Service  
1-800-337-7740

**Dr. Katurah Jenkins-Hall, Chair, called the Credentials Committee meeting to order at approximately 9:06 a.m.**

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

**Tab 1           Buck, Kimberlly (Bifurcation Examination with Waiver)**

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

Following discussion, Dr. Herbert Goldstein moved to approve the application for licensure with the condition that the applicant undergo a Professionals Resource Network (PRN) evaluation, the report of which will be reviewed no later than the January 2008 Board meeting, at which time jurisdiction is reserved to impose other conditions, if needed. Dr. Amy Swan seconded the motion, which carried 3/0. Dr. Buck waived the 90-day requirement for Board action on her application.

**Tab 2           Sands, Christine (Endorsement of Other State License)**

Dr. Sands was not present. Dr. Herbert Goldstein moved to request a personal appearance of the applicant to clarify issues pertaining to her personal history. Dr. Amy Swan seconded the motion, which carried 3/0.

The Credentials Committee adjourned at 9:26 a.m.

## **CONTINUING EDUCATION COMMITTEE MEETING**

### **MEMBERS PRESENT\***

Richard Hoffman, Ph.D.  
Rafael Rivas-Vasquez

### **STAFF PRESENT**

Susan Love, Executive Director  
Allen Hall, Program Operations Administrator  
Anna L. Hart King, Regulatory Specialist II

### **MEMBERS ABSENT**

Ana Martin-Lavielle (Excused)  
Cheryl Levine (Excused)

### **ASSISTANT ATTORNEY GENERAL**

Mary Ellen Clark

### **COURT REPORTER**

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**\*Dr. Herbert Goldstein temporarily appointed Board Member, Dr. Rafael Rivas-Vasquez, to serve on this committee to fulfill the quorum. Dr. Richard Hoffman was appointed as temporary chair of the committee.**

**Dr. Richard Hoffman called the Continuing Education Committee meeting to order at approximately 9:28 a.m.**

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

#### **Tab 1            A Step Above Therapy**

Following discussion, Dr. Richard Hoffman moved to approve the application to become a continuing education provider. Dr. Rafael Rivas-Vasquez seconded the motion, which carried 2/0.

#### **Tab 2            FM Seminars**

During the January 2007 Continuing Education Committee meeting, it was requested that FM Seminars provide further elaboration on the course outline submitted with its application, as well as a statement detailing how the provider's training relates to the course.

During the March 2007 Board Quorum conference call, Ms. Hansen-Engelhard, of FM Seminars, waived the 90-day requirement for Board action on the application and was granted an extension to provide the additional information by the fall meeting. The applicant did not submit the requested information for consideration prior to the October 2007 meeting.

During the October meeting, Dr. Richard Hoffman moved to deny the application to become a medical errors course provider, due to the applicant's failure to provide sufficient information documenting that its program meets the requirements of Rule 64B19-13.004, F.A.C. Dr. Rafael Rivas-Vasquez seconded the motion, which carried 2/0.

The Continuing Education Committee adjourned at 9:35 a.m.

## **GENERAL BUSINESS MEETING**

**Dr. Herbert Goldstein, Chair, called the General Business meeting to order at approximately 10:03 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  
Rafael Rivas-Vasquez, Psy.D.  
Amy Swan, Psy.D.  
Katurah Jenkins-Hall, Ph.D.

### **STAFF PRESENT**

Susan Love, Executive Director  
Allen Hall, Program Operations Administrator  
Anna L. Hart King, Regulatory Specialist II

### **MEMBERS ABSENT**

Ana Martin-Lavielle (Excused)  
Cheryl Levine (Excused)

### **ASSISTANT GENERAL COUNSEL**

Lynn Quimby-Pennock

### **ASSISTANT ATTORNEY GENERAL**

Mary Ellen Clark

### **COURT REPORTER**

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**Prior to undertaking the General Business meeting agenda, Dr. Herbert Goldstein requested that the Board ratify the temporary appointment of Dr. Rafael Rivas-Vasquez to the Continuing Education Committee. Dr. Katurah Jenkins-Hall moved to ratify the appointment. Dr. Richard Hoffman seconded the motion, which carried 5/0.**

## **DISCIPLINARY PROCEEDINGS**

### **MOTION FOR BOARD'S FINAL ORDER BY STIPULATION**

**Tab 1 Theodore Williams, Case No. 2006-38001 (p/c/p Rafael Rivas-Vasquez and Nathan Perry)**

Dr. Williams was present and sworn in by the court reporter. Dr. Williams was represented by legal counsel, Dr. Robert Woody. Dr. Rafael Rivas-Vasquez was recused due to participation on the probable cause panel.

Dr. Williams was charged with violating s. 490.009(1)(w), F.S. (2006), by violating Rule 64B19-19.0025(2), F.A.C., for failing to obtain written informed consent from a patient concerning all aspects of services including assessment and therapy; s. 490.009(1)(s), F.S. (2006), by delegating professional responsibilities to a person not qualified by training or experience to perform an evaluation and diagnosis of a patient; and s. 490.009(1)(r), F.S. (2006), for failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance.

Following discussion, Dr. Katurah Jenkins-Hall moved to accept the proposed settlement stipulation. Dr. Amy Swan seconded the motion, which carried 4/0.

The terms of the stipulation are as follows:

- Payment of fine in the amount of \$3,000 within 90 days of the filing of the Final Order;
- Payment of actual costs in the amount of \$3,982.20 within 90 days of the filing of the Final Order; and
- Completion of six (6) hours of continuing education in the area of Rules and Ethics within one (1) year.

**Tab 2                    Maritza Lima, Case No. 2006-22395 (p/c/p Rafael Rivas-Vasquez and Nathan Perry)**

Dr. Lima was present and sworn in by the court reporter. Dr. Lima was represented by legal counsel, Mr. Minervino Rodriguez, Jr. Dr. Rafael Rivas-Vasquez was recused due to participation on the probable cause panel.

Dr. Lima was charged with violating s. 490.009(1)(r), F.S. (2004), for failure to meet the minimum standards of performance in professional activities, when measured against generally prevailing peer performance, when performing a fitness-for-duty evaluation.

Following discussion, Dr. Katurah Jenkins-Hall moved to reject the proposed settlement stipulation. Dr. Amy Swan seconded the motion, which carried 4/0.

The Board proposed the following counterstipulation:

- Payment of fine in the amount of \$2500 within 12 months of the filing of the Final Order;
- Payment of actual costs in the amount of \$3,901.56 within 12 months of the filing of the Final Order;
- Signed affidavit stating understanding of the Florida laws and rules governing the profession of psychology (submitted by the licensee during the meeting);
- Completion of six (6) hours of live continuing education in the area of Psychological Assessments;
- One year of probation with indirect supervision of 100% of cases involving assessments to be monitored, with consultation to occur prior to performing assessments and again prior to submitting the assessment report to the requesting source;
- Submission of 3 names of proposed supervisors to the Board office, within 30 days of the filing of the Final Order, for approval by the Board Chair; and
- Appearance of the licensee with the approved supervisor, at the end of the probation, with a report to be provided by the supervisor at the end of the probation.

Following discussion, Dr. Katurah Jenkins-Hall moved to approve the terms of the counterstipulation as stated. Dr. Amy Swan seconded the motion, which carried 4/0. Dr. Lima accepted the counterstipulation offered by the Board.

**Tab 3                    Mercedes Rosenberg, Case No. 2004-37972 (p/c/p Rafael Rivas-Vasquez and Nathan Perry)**

Dr. Rosenberg was present and sworn in by the court reporter. Dr. Rosenberg was not represented by legal counsel. Dr. Rafael Rivas-Vasquez was recused due to participation on the probable cause panel.

Dr. Rosenberg was charged with violating s. 490.009(1)(w), F.S. (2003-2004), by violating s. 456.057(4), F.S. (2003-2004) and Rule 64B19-19.005(1) & (2), F.A.C., for failing to provide requested copies, or a summary report, of a patient's therapy records to a designee; s. 490.009(1)(w), F.S. (2003-2004), by violating Rule 64B19-19.0025, F.A.C., for failing to meet the

minimum requirements for patient records; and s. 490.009(1)(r), F.S., for failing to meet minimum standards of performance in professional activities, when measured against generally prevailing peer performance, with regard to documenting patient treatment.

Following discussion, Dr. Richard Hoffman moved to approve the proposed settlement stipulation. Dr. Katurah Jenkins-Hall seconded the motion, which carried 4/0.

The terms of the stipulation are as follows:

- Payment of fine in the amount of \$2,000 within 12 months of the filing of the Final Order;
- Payment of actual costs in the amount of \$4,955.74 within 12 months of the filing of the Final Order; and
- Completion of six (6) hours of continuing education credits in the area of Forensic Evaluations within one (1) year of the filing of the Final Order - online courses are permitted.

**Tab 4           Dano Anthony Leli, Case No. 2005-01304 (p/c/p Rafael Rivas-Vasquez and Juliet Lewis)**

Dr. Leli was present and sworn in by the court reporter. Dr. Leli was represented by legal counsel, Mr. Michael D'Lugo. The complainant, Ms. Lauren Johnson, was also present and sworn in by the court reporter. Dr. Rafael Rivas-Vasquez was recused due to participation on the probable cause panel.

Dr. Leli was charged with violating s. 490.009(1)(r), F.S. (2003), by failing to meet minimum standards in professional activities for failing to follow up on his initial diagnostic impressions of a patient and the client's report of, and marital issues related to, domestic violence; s. 490.009(1)(w), F.S. (2003), by violating Rule 64B19-19.005(2), F.A.C., by failing to provide a treatment summary within 30 days of the request; and s. 490.009(1)(r), F.S. (2004), by failing to provide a summary report, sufficiently summarizing the patient's clinical information, to ensure adequate continuity of care.

Following discussion, Dr. Katurah Jenkins-Hall moved to reject the proposed settlement stipulation. Dr. Amy Swan seconded the motion, which carried 4/0.

The Board proposed the following counterstipulation:

- Payment of a fine in the amount of \$2,000 within 90 days of the filing of the Final Order;
- Payment of actual costs in the amount of \$2,820.23 within 90 days of the filing of the Final Order; and
- Completion of twelve (12) hours of continuing education credits, within one (1) year of the filing of the Final Order, in the following areas: 1) Laws & Rules – 3 hours; 2) Domestic Violence – 3 hours; and 3) Individual Psychotherapy – 6 hours.

Following discussion, Dr. Katurah Jenkins-Hall moved to approve the terms of the proposed counterstipulation. Dr. Amy Swan seconded the motion, which carried 4/0. Dr. Leli agreed to the counterstipulation offered by the Board.

**Tab 5           Lorraine Diston, Case No. 2006-22361 (p/c/p Rafael Rivas-Vasquez and Charles Gibbs)**

Dr. Diston was present and sworn in by the court reporter. Dr. Diston was represented by legal counsel, Mr. Thomas Freehling. Dr. Diston's post-doctoral supervisee, Dr. Eric Reznik, was present and was sworn in by the court reporter at the request of the Board Chair. Dr. Rafael Rivas-Vasquez was recused due to participation on the probable cause panel.

Dr. Diston was charged with violating s. 490.009(1)(t), F.S. (2004, 2005), by violating Rule 64B19-11.005(3)(a), F.A.C., for failure to have an appropriate supervisory agreement with a psychology licensure applicant; Rule 64B19-11.005(3)(d), F.A.C., for failure to provide the applicant with appropriate clinical supervision; and Rule 64B19-11.005(3)(f), F.A.C., for failing to be informed of all services performed by the applicant.

In addition, Dr. Diston was charged with violating s. 490.009(1)(r), F.S. (2005), for failure to meet the minimum standards of performance in professional activities, when measured against generally prevailing peer performance and s. 490.009(1)(l), F.S. (2005), for making misleading, deceptive, untrue, or fraudulent representations in the practice of psychology.

Following discussion, Dr. Katurah Jenkins-Hall moved to reject the proposed settlement stipulation. Dr. Amy Swan seconded the motion, which carried 4/0.

The Board offered the following counterstipulation:

- Payment of fine in the amount of \$5,000.00 within 24 months of the filing of the Final Order;
- Payment of actual costs in the amount of \$2,340.16 within 24 months of the filing of the Final Order;
- Completion of sixteen (16) hours of continuing education courses in the area of Supervision; and
- Restriction on the licensee's professional psychology practice to indefinitely prohibit her from serving as a post-doctoral supervisor to applicants.

Dr. Katurah Jenkins-Hall moved to approve the terms of the proposed counterstipulation. Dr. Richard Hoffman seconded the motion, which carried 4/0. Dr. Diston accepted the counterstipulation offered by the Board.

## **RECONSIDERATION OF LICENSURE APPLICATION**

### **Tab 12      Eric Reznik**

Dr. Reznik was present and sworn in by the court reporter. Dr. Reznik was not represented by legal counsel.

On June 18, 2004, Dr. Reznik's application for licensure by examination was approved by the Board pending successful completion of the examination requirements and completion of the required medical errors course.

On May 18, 2006, a complaint was filed against Dr. Reznik by an employee of the Florida Department of Health's Division of Disability Determinations. The complainant alleged that Dr. Reznik prepared and submitted medical records for a patient applying for benefits, including documentation which implied that he served as the "Signing Doctor" having a professional specialty in clinical psychology.

From May 2006 through July 2006, the Department's Unlicensed Activity Office conducted an investigation based on the complaint, resulting in the signing of an informal Cease & Desist agreement by the applicant and the filing of a regulatory complaint against his supervisor, Dr. Lorraine Diston, PY 4470. Based on the preceding, Dr. Reznik's licensure application was brought back before the Board for reconsideration.

Following discussion, Dr. Rafael Rivas-Vasquez moved to reconsider Dr. Reznik's application for psychologist licensure. Dr. Amy Swan seconded the motion, which carried 5/0.

After further discussion, Dr. Amy Swan moved to deny Dr. Reznik's application for licensure based on the findings of Case No. 2006-13019, filed by the Department's Unlicensed Activity Office, which cited violation of s. 490.012(1)(a), F.S., which prohibits unlicensed individuals from holding themselves out as psychologists or using any title, name or description incorporating the word "psychologist". Dr. Herbert Goldstein seconded the motion, which carried 4/0. Dr. Katurah Jenkins-Hall opposed.

For purposes of receiving the Order to be issued regarding his licensure denial, Dr. Reznik indicated that his mailing address is 1087 Scarlet Oaks Street, Hollywood, FL, 33019.

**Tab 6            Martin D. Segel, Case No. 2006-26696 (p/c/p Rafael Rivas-Vasquez and Nathan Perry)**

Dr. Segel was present and sworn in by the court reporter. Dr. Segel was represented by legal counsel, Mr. Wilson J. Foster. Dr. Rafael Rivas-Vasquez was recused due to participation on the probable cause panel.

Dr. Segel was charged with violating s. 490.009(1)(r), F.S. (2002), for failure to meet the minimum standards of performance in professional activities, when measured against generally prevailing peer performance. Dr. Segel was also charged with violating s. 490.009(1)(w), F.S. (2002), through a violation of Rule 64B19-18.007(1), F.A.C., for failure to communicate with all required parties regarding the custody of a minor.

Following discussion, Dr. Richard Hoffman moved to reject the proposed settlement stipulation. Dr. Katurah Jenkins-Hall seconded the motion, which carried 4/0.

The Board offered the following counterstipulation:

- No fine required;
- Payment of actual costs in the amount of \$3,602.07 within 90 days of the filing of the Final Order;
- Completion of six (6) hours of continuing education in the area of Laws and Rules within one (1) year of the filing of the Final Order; and
- No community service required.

Dr. Katurah Jenkins-Hall moved to approve the terms of the proposed counterstipulation. Dr. Richard Hoffman seconded the motion, which carried 4/0. Dr. Segel accepted the counterstipulation offered by the Board.

**Tab 7            Peter Pinto, Case No. 2006-26750 (p/c/p Rafael Rivas-Vasquez and Nathan Perry)**

Dr. Pinto was present and sworn in by the court reporter. Dr. Pinto was not represented by legal counsel. Dr. Rafael Rivas-Vasquez was recused due to participation on the probable cause panel.

Dr. Pinto was charged with violating s. 490.009(1)(w), F.S. (2003-2005), through a violation of Rule 64B19-13.002(3), F.A.C., for failing to complete the forty (40) hours of continuing psychological education required for biennial licensure renewal.

Following discussion, Dr. Katurah Jenkins-Hall moved to approve the proposed settlement stipulation. Dr. Amy Swan seconded the motion, which carried 4/0.

The terms of the approved stipulation are as follows:

- Payment of fine in the amount of \$1,000.00 within 12 months of the filing of the Final Order;
- Payment of actual costs in the amount of \$1,248.33 within 12 months of the filing of the Final Order; and
- Completion of six (6) hours of continuing education credit in the area of Ethics within one (1) year of the filing of the Final Order.

**Tab 8 Sean Stevens, Case No. 2006-36405 (p/c/p Rafael Rivas-Vasquez and Nathan Perry)**

Dr. Stevens was present and sworn in by the court reporter. Dr. Stevens was not represented by legal counsel. Dr. Rafael Rivas-Vasquez was recused due to participation on the probable cause panel.

Dr. Stevens was charged with violating s. 490.009(1)(r), F.S. (2003-2006), by failing to meet the minimum standards of performance in professional activities, when measured against generally prevailing peer performance, in failing to conduct and document adequate information regarding a patient; s. 490.009(1)(w), F.S. (2003-2006), through a violation of Rule 64B19-19.0025(2), F.A.C., by failing to obtain written informed consent from a patient concerning all aspects of services including assessment and therapy; and Rule 64B19-19.0025(1), F.A.C., by failing to meet the minimum requirements for chronicling and documenting his services.

Dr. Richard Hoffman moved to approve the proposed settlement stipulation. Dr. Katurah Jenkins-Hall seconded the motion, which carried 4/0. The terms of the approved stipulation are as follows:

- Payment of fine in the amount of \$2,000 within 24 months of the filing of the Final Order;
- Payment of actual costs in the amount of \$3,336.74 within 24 months of the filing of the Final Order; and
- Completion of six (6) hours of continuing education credits in the area of Laws & Rules within one (1) year of the filing of the Final Order.

**Tab 9 Lynn Quimby-Pennock, Prosecuting Attorney**

Ms. Quimby-Pennock presented the prosecutor's report outlining the current status of the thirty-eight open disciplinary cases, as of October 11, 1007.

Under legal review	10
Scheduled for probable cause review	10
Probable cause found	18

21 of the above cases were reported to be more than one year old.

**INQUIRY OF BOARD BY ERIC REZNIK**

Dr. Eric Reznik was recognized by the Board Chair and inquired concerning the appropriate handling of the non-English speaking, Russian clients whom he had been seeing while under Dr. Lorraine Diston's supervision.

The Board agreed that it was Dr. Diston's responsibility to provide services to these clients, possibly through an interpreter, until the cases are disposed of in a clinically judicious manner.

## **ADMINISTRATIVE PROCEEDINGS**

### **REVIEW OF LICENSURE APPLICATION**

#### **Tab 10          Margaret Stewart**

Dr. Stewart was present and sworn in by the court reporter. Dr. Michael Herkov was present on behalf of PRN, and was sworn in by the court reporter.

On July 27, 2007, Dr. Stewart made a personal appearance before the Board to discuss her response to a personal history question on the licensure application. During that meeting, the Board requested that Dr. Stewart undergo a PRN evaluation prior to further consideration of the application. Dr. Stewart agreed to the Board's request and waived the 90-day requirement for Board action on her application.

The Board reviewed the October 3, 2007 evaluation report provided by PRN, which advocated support for Dr. Stewart's licensure application, with the condition that she enter into and comply with a 3-5 year PRN Monitoring Contract.

Following discussion, Dr. Richard Hoffman moved to approve the application for psychologist licensure conditioned upon Dr. Stewart's compliance with the terms of the PRN contract. Dr. Katurah Jenkins-Hall seconded the motion, which carried 4/0. Dr. Amy Swan was not present for the vote.

### **PETITION FOR WAIVER & RECONSIDERATION OF LICENSURE APPLICATION**

#### **Tab 11          Delight C. Thompson**

Dr. Delight Thompson was present and sworn in by the court reporter. Dr. Thompson was represented by legal counsel, Ms. Cherish Thompson.

During the June 2007 Credentials Committee conference call, Dr. Thompson's application for licensure by Endorsement of Other State License (NC 2006) was denied due to the lack of substantial equivalency between the laws of North Carolina and Florida. The Notice of Intent to Deny (NOID) was filed with the Department of Health on June 21, 2007.

The Board reviewed the applicant's timely filed "Petition for Reconsideration" of the NOID and Motion for Waiver of Rule 64B19-11.002(2)(c)3., F.A.C. The referenced rule requires that post-doctoral training must include an average of at least two (2) hours of clinical supervision each week, at least one (1) hour of which is individual face-to-face supervision.

Following discussion, Dr. Rafael Rivas-Vasquez moved that the Board take the following actions: 1) reconsider the application for licensure; 2) vacate the previously filed NOID; and 3) approve the application for licensure pending receipt of a letter, within 30 days, from Dr. Thompson's supervisor verifying that the required clinical supervision was provided. Dr. Katurah Jenkins-Hall seconded the motion, which carried 5/0.

Dr. Thompson agreed to obtain the requested letter and withdrew her Motion for Waiver of Rule 64B19-11.002(2)(c) 3., F.A.C., from further consideration by the Board. Dr. Herbert Goldstein was delegated to review the letter to ensure compliance with the clinical supervision requirements.

## **APPLICANTS FROM APA ACCREDITED PROGRAMS FOR EXAMINATION AND LICENSURE AS NOTED**

### **Tab 13 List of applicants**

Dr. Rafael Rivas-Vasquez moved to approve the list of applications for examination and licensure as noted. Dr. Katurah Jenkins-Hall seconded the motion, which carried 5/0.

## **REVIEW OF PROPOSED LEGISLATION**

### **Tab 14 Section 490.005(1)(e), F.S. re: Establishment of File Closure Timeframes for Board-Approved Applicants**

During the July 27, 2007 General Business meeting, the Florida Psychological Association's (FPA) Legislative Affairs and Public Policy Board (LAPPB) requested that the Board of Psychology prepare sample language for a 2008 legislative proposal, which would limit the timeframe under which Board-approved applicants could practice under supervision.

The Board approved the following proposed language during its September 21, 2007 Board Quorum conference call:

490.005(1)(a) - (d) No change

e) Effective January 1, 2009, the Board will close the application file of any applicant who fails to pass the psychology licensure examination and the Florida laws and rules examination within a timeframe determined by Board rule. The Board will close the application file of any applicant who fails to submit evidence of completion of the post-doctoral supervised experience within a timeframe determined by Board rule. Individuals who complete the required post-doctoral training residency may continue to practice under supervision so long as they do so in a manner prescribed by Board rule and so long as the individual has a current application on file and no final order of denial has been issued.

Dr. Harry Reiff, FPA liaison to the Board of Psychology, was present at the October meeting and informed the members that the FPA will support this language as one of its legislative priorities.

## **RULE REVIEW AND/OR DEVELOPMENT**

### **Tab 15 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 consumers hiring licensed psychologists to coach them in preparation for custody evaluations by other licensed psychologists.

This item was tabled for further discussion at the January 2008 General Business meeting.

## **COMMITTEE REPORTS**

### **Tab 21 Continuing Education Committee Report**

Dr. Richard Hoffman reported to the full Board the Continuing Education Committee's recommendations. The Committee recommended approval of tab 1 and denial of tab 2. Dr. Katurah Jenkins-Hall moved to ratify the recommendations of the Committee. Dr. Rafael Rivas-Vasquez seconded the motion, which carried 5/0.

## **Tab 20            Credentials Committee Report**

Dr. Katurah Jenkins-Hall reported to the full Board the Credentials Committee's recommendations. The Committee recommended a PRN evaluation with conditional application approval for tab 1 and a personal appearance for tab 2. Dr. Rafael Rivas-Vasquez moved to ratify the recommendations of the Committee. Dr. Richard Hoffman seconded the motion, which carried 5/0.

### **RULE REVIEW AND/OR DEVELOPMENT (continued)**

#### **Tab 16            Rule 64B19-18.001, F.A.C., Qualifications to Evaluate and Treat Sex Offenders as a Qualified Practitioner re: Florida Psychological Association's Position on the Impact of SB 1604 (2007), Sexual Offenders**

SB 1604 (2007) amended the definition of "Qualified Practitioner" in s. 947.005, F.S., deleting the terminology requiring designated practitioners to provide services under their respective practice acts "as determined by rule of the respective boards".

During the September 2007 Board Quorum conference call, the Board reviewed FPA's position statement regarding the impact of this legislation on Board Rule 64B19-18.001, F.A.C. The rule specifies criteria for psychologists to designate themselves as "Qualified Practitioners" for the purpose of evaluating and treating sex offenders. The matter was tabled for further discussion at the next meeting of the Board.

During the October meeting, Dr. Reiff addressed the Board on behalf of the FPA. It was suggested that Rule 64B19-18.001, F.A.C., and section 5 of Rule 64B19-13.003, F.A.C., be repealed due to changes in the underlying statute. Rule 64B19-13.003(5), F.A.C., specifies continuing education credits for qualified practitioners.

Following discussion, Dr. Richard Hoffman moved to repeal Rule 64B19-18.001, F.A.C., and section 5 of Rule 64B19-13.003, F.A.C. Dr. Herbert Goldstein seconded the motion, which carried 5/0. Ms. Clark will take the necessary actions to repeal each rule.

Dr. Ana Rivas-Vasquez, Co-Chair of the FPA's LAPPB, was present and indicated that the FPA would publish an article listing the former requirements of these rules as suggested practice guidelines for affected psychologists.

### **RULE STATUS REPORT**

#### **Tab 17            Mary Ellen Clark, Assistant Attorney General**

##### **Rule 64B19-11.005, F.A.C., Supervised Experience Requirements**

During the July 2007 meeting, the Board agreed to discontinue development on Rule 64B19-11.005, F.A.C., as it planned to develop a proposal for the upcoming legislative session to address the issue of Board-approved applicants continuing indefinitely under supervision.

Ms. Clark advised the Board that the time for development of this rule would automatically expire at the end of the year. The Board agreed that no current action was needed and that the notice of rule development would be allowed to automatically expire.

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

Rule language was approved at the July 2007 meeting to modify Rule 64B19-18.004(5), F.A.C., to add the following phrase to the end of paragraph (5): "or as a member of a multidisciplinary diagnostic team". The rule was noticed for development on August 31, 2007.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-18.004 Use of Test Instruments.

(1) through (4) No change.

(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 an psychological intern, psychological trainee or psychological resident, or as a member of a multidisciplinary diagnostic team.

(6) No change.

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, \_\_\_\_\_.

Ms. Clark informed the Board that no comments had been received from the Joint Administrative Procedures Committee (JAPC), to date, regarding this rule change. She indicated that the rule would likely be made effective by January 2008.

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

During the July 2007 meeting, the Board reviewed correspondence from the Joint Administrative Procedures Committee (JAPC) requesting clarification on various sections of proposed Rule 64B19-18.008, F.A.C. Following discussion, the Board directed Ms. Clark to respond to JAPC's inquiry to indicate that no changes to the proposed rule text would be made. The rule was noticed for development on November 9, 2006, adopted on October 12, 2007, and will be made effective 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](http://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 \_\_\_\_\_.

## **CHAIR'S REPORT**

### **Tab 18 Herbert Goldstein, Ph.D.**

Dr. Goldstein announced the appointment of new Probable Cause Panel member, Dr. Elizabeth Webster, who will participate in her first PCP meeting in November 2007. Dr. Webster is replacing former member, Dr. Nathan Perry, who withdrew from the panel due to personal health reasons.

#### **Other Board Members:**

During the July 2007 meeting, Dr. Rafael Rivas-Vasquez agreed to work on the development of language regarding professional activities which may or may not be delegated, with regard to s. 490.009(1)(s), F.S., and Rule 64B19-18.004(4), F.A.C., to facilitate the Board's discussion on the pros and cons of further delineating what is acceptable.

During the October meeting, Dr. Rivas-Vasquez reported on the complexity of developing this language and requested input from the Board. During discussion of the issue, Ms. Clark referred to the definition of psychological practice found in s. 490.003(4), F.S., and s. 490.009(1)(s), F.S., which restricts delegation of professional responsibilities. She advised the Board that there is currently no legal provision for any type of delegate to take a social history. The matter will be scheduled for further discussion at the Board's January 2008 meeting.

## **NEW BUSINESS**

### **Tab 22 Correspondence from Dr. Ana Rivas-Vasquez, Citrus Health Network Clinical Director re: Revision of Rule 64B19-13.003, F.A.C., Continuing Psychological Education Credit**

Dr. Ana Rivas-Vasquez requested revision of 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.

Following discussion, the Board agreed to notice Rule 64B19-13.003(1)(c), F.A.C., for rule development.

## **EXECUTIVE DIRECTOR'S REPORT**

### **Tab 19 Susan Love, Executive Director**

- 2007-2008 MQA Trust Fund Annual Reports

Informational item.

- Expenditures by Function

Informational item.

- Cash Balance Report

Informational item.

### **NEW BUSINESS (continued)**

#### **Tab 23 Correspondence from ASPPB re: Draft Implementation Plan for Interjurisdictional Practice Certificate**

The ASPPB Board of Directors and Mobility Committee provided correspondence to the Board regarding a draft implementation plan to facilitate registration for short-term interjurisdictional practice. The Board reviewed the correspondence as “information only”, as adoption of the proposed plan would require legislative changes.

#### **Tab 24 Discussion: Process for Board Review of Specialty Certifying Bodies**

The Board reviewed staff’s proposal to facilitate the review of specialty certifying body petitions once Rule 64B19-18.008, F.A.C., becomes effective.

Following discussion, Dr. Rafael Rivas-Vasquez moved to approve a standing committee to review these petitions and to make recommendations to the full Board. Dr. Katurah Jenkins-Hall seconded the motion, which carried 5/0.

Dr. Herbert Goldstein and Dr. Richard Hoffman will serve as co-chairs of the two-person committee. Meeting dates and times will be forthcoming.

The Board office will make information regarding the process for filing petitions available on the Board’s website at [www.doh.state.fl.us/mqa/psychology](http://www.doh.state.fl.us/mqa/psychology).

#### **Tab 25 Discussion: Rules 64B19-11.011 and 64B19-11.005, F.A.C. re: Supervision of Licensure Applicants by Disciplined Psychologists**

Rules 64B19-11.011 and 64B19-11.005, F.A.C., require that supervisors of licensure applicants must, among other things, be licensed psychologists who are in “good standing.” The Board reviewed sample scenarios, in which applicants’ post-doctoral supervisors had been disciplined, and agreed that “good standing” is to be defined as a licensee who has no pending discipline and has a licensure status of “clear and active”.

#### **Tab 26 Discussion: Reduction of Costs Associated with Preparation of Board Agenda Materials**

In light of current budget restrictions, the Board office recommended the reduction of supply costs by replacing the current disposable agenda binders with permanent reusable binders.

Following discussion, the Board agreed to the proposed change. Board staff will provide hard copy binders to each member and continue to provide hard copies of meeting materials for placement in the binders.

## **OLD BUSINESS**

### **Tab 27 July 27, 2007 General Business Meeting Minutes**

Dr. Richard Hoffman moved to accept the minutes. Dr. Rafael Rivas-Vasquez seconded the motion, which carried 5/0.

### **Tab 28 September 21, 2007 Board Quorum Call Minutes**

Dr. Katurah Jenkins-Hall moved to accept the minutes. Dr. Amy Swan seconded the motion, which carried 5/0.

## **OTHER BUSINESS AND INFORMATION**

### **Tab 29 Computer-Based Testing Vendor Change**

Informational Item.

### **Tab 30 ASPPB Disciplinary Data Report**

Informational item.

### **Tab 31 2007 ASPPB Professional Examination Services Annual Report**

Informational Item.

### **Tab 32 PRN Monthly Report for July 2007**

Informational item.

### **Tab 33 Psychology Staff Recognition**

Informational item.

The meeting adjourned at 5:43 p.m.