

**TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY
MINUTES**

DATE: April 16 - 17, 2008

TIME: 9:00 a.m., CST

LOCATION: Health Related Boards
Poplar Room
227 French Landing, Suite 150
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Carl Gilleylen, Psy.D., Chair
Robert Kores, Ph.D., Vice Chair
Patrick Lavin, Ph.D.
Janice Martin, Ph.D.
David Caye, MS, Sr. PE
Susan Strickler, Ph.D.
Mark Sigler, Ph.D., Sr. PE
Evelyn Kemp, Psy.D.
Brenda Hunter, Consumer Member

STAFF PRESENT: Melody Spitznas, Board Administrator
Barbara Maxwell, Administrative Director
Diona Layden, Advisory Attorney
Elizabeth Miller, Director of Health Related Boards

Dr. Gilleylen called the meeting to order at 9:00 a.m. All members of the Board were present.

Review/Ratify January 24, 2008 Board Meeting Minutes

Upon review of the January 24, 2008 Board meeting minutes, Dr. Kores made a motion, seconded by Dr. Martin, to approve the minutes with corrections. The motion carried.

Conflict of Interest Policy Statement

Ms. Layden reviewed the Conflict of Interest Policy with the Board asking the Board members to disclose any conflict of interest they may have prior to contested cases or any other legal proceedings or matters to determine if there is a conflict of interest. Ms. Layden stated that if a Board member does have a conflict of interest they must recuse him/herself and leave the hearing room during the proceeding.

Order of Compliance - David M. McElroy, Ph.D.

Dr. McElroy was present for consideration of an Order of Compliance. Ms. Layden distributed copies of the Order for the Board to review. Mike Todd of the Tennessee Medical Foundation (TMF) was present to support Dr. McElroy. Mr. Todd stated that Dr. McElroy entered into a voluntary, five-year (5) agreement with the TMF. Mr. Todd will be monitoring Dr. McElroy and stated that should Dr. McElroy be in non-compliance with his contract with the TMF, TMF would withdraw their advocacy of Dr. Elroy and inform the Board. Psychiatrist, Michael J. Baron, M.D. wrote a letter on behalf of Dr. McElroy stating that he would initially limit Dr. McElroy to practicing twenty (20) hours per week, with a gradual increase to forty (40) hours over the next twelve months.

Dr. Martin made a motion, seconded by Dr. Kores to accept the Order of Compliance. The motion carried.

Mark Green, Tennessee Psychological Association

Chair Gilleylen recognized Mr. Mark Green, with the Tennessee Psychological Association regarding two (2) letters from State Representative Mike Turner concerning psychologists being allowed to discuss medications with their patients after prescribed by their physician and a Declaratory Order regarding sleep disorders. Mr. Green stated that it is essential that a patient have the ability to discuss their medication(s) with their psychologist in order to monitor how a patient is responding to the medication.

After discussion, Dr. Martin made a motion, seconded by Mr. Caye to endorse the following statement by the Tennessee Board of Examiners in Psychology: *Practitioners of psychology may discuss with an established patient and/or authorized patient family members and/or recommend to a patient's physician or primary care prescriber any drug(s), laboratory test(s), or any medicine(s), device(s), or treatment(s) including controlled substances, rational to the practice of psychology, when such recommendation is within the boundaries of his or her competence based on his or her education, training or appropriate professional experience. It is then incumbent on the physician or primary care prescriber, based upon all the evidence before him or her, which may include the medical assessment and/or treatment to prescribe. While practitioners of psychology may discuss medication issues with a patient, these practitioners of psychology acknowledge that a patient's physician or primary care prescriber is the only person who may lawfully prescribe the medication or other medical test or treatment for the patient.*

Mr. Green addressed the Board regarding another letter from State Representative Mike Turner concerning a request for a Declaratory Order regarding sleep disorders. After discussion, Dr. Martin made a motion, seconded by Mr. Caye to issue the following Advisory Opinion:

- 1. It is fully within a Psychologist's legal scope of practice, as defined by T.C.A. §63-11-203, to evaluate and treat, without supervision, the full range of "sleep disorders" as defined by the most current edition of *The Diagnostic and Statistical Manual of***

Mental Disorders of the American Psychiatric Association (DSM) (within restrictions on methods of treatment delineated in T.C.A. §63-11-204).

- 2. It is fully within the scope of practice in Tennessee of a Psychologist who is a Diplomate of the American Board of Sleep Medicine to “read” or interpret, without supervision, a polysomnogram (NPSG, MSLT, MWT, or other “sleep study”), including making recommendations to physicians regarding treatment options indicated based on the findings of said sleep study.**

The motion carried.

Office of General Counsel Report

Ms. Layden reviewed the OGC report stating the following rule amendments which were discussed at the January 24, 2008 Board meeting and the Board voted to have rules drafted to permit supervision by video conference; define what is an acceptable residency program; change the current three (3) hour ethics requirement from three (3) hours of ethics and law to three (3) hours of ethics and/or the law. Rule 1180-1-.06(4)(c)1 (iii) is to be discussed at this meeting regarding what information should be required to be documented in patient records and consider rulemaking. Issues to be placed on the agenda for the next meeting August 27 – 29, 2008 are therapy via video conference and the rules that may be impacted by this issue, licensure of foreign graduates and rule 1180-3-.01(6) regarding allowing senior psychological examiners to supervise psychological examiners.

The Board discussed amending rule 1180-1-.06(4) (c) 1 (iii). regarding patient records. Dr. Lavin made a motion, seconded by Mr. Caye to delete the reference to counseling session start and stop times and substitute with dates of services and insert the following within paragraph (c): “This rule does not release the practitioner of psychology from stricter standards otherwise imposed by state or federal regulations or by institutional requirements.” The motion carried.

Ms. Layden stated there are currently six (6) open cases pertaining to the Board of Examiners in Psychology.

Investigative Report

Ms. Stone reviewed the Investigative Report stating there has been one (1) new complaint received by the Office of Investigations, four (4) have been closed (two (2) with a Letter of Warning and two (2) referred to the Office of General Counsel.

Ms. Stone stated there are currently six (6) open complaints against psychological examiners.

Ms. Stone stated there currently zero (0) complaints against psychological assistants.

Disciplinary Report

Ms. Stone reviewed the disciplinary report, which gives the name of the disciplined practitioners, their license number, date of action, expiration date, civil penalty costs, continuing education requirements, reporting, peer assistance, and comments.

Financial Report

Ms. Spitznas reviewed the Financial Report stating the board has a cumulative carryover as of June 30, 2007 of \$250,284.26. Ms. Spitznas stated there should be a new report by the next meeting, which is August 27 – 29, 2008.

Administrative Report

Ms. Spitznas reviewed the Administrative Report stating there are currently 1309 active psychologists, 591 have retired their license, 419 have failed to renew their license and 92 psychologists are deceased.

Ms. Spitznas said there are currently 578 active psychological examiners and senior psychological examiners, 521 have retired their license, 924 failed to renew their license and 66 psychological examiners are deceased.

Ms. Spitznas said there are currently seven (7) active psychological assistants and one (1) deceased.

Ms. Spitznas asked Board members to encourage their colleagues to utilize the online renewal system.

Ms. Spitznas said there is no longer a restriction on travel. Ms. Spitznas stated in order to obtain approval, please submit any request for travel to the Board Administrator at least sixty (60) days in advance of the scheduled conference.

Ms. Spitznas stated there are currently no projects in progress and, with the exception of incoming files, all files for this profession have been imaged.

Ratify Newly Licensed

Upon review of the lists of newly licensed Psychologists with health service provider designation, Dr. Martin made a motion, seconded by Dr. Kemp, to approve the following applicants for licensure:

Elena R. Bloodgood, Psy.D.

Courtney Burnette, Ph.D.

Keith Henderson Crabtree, Ph.D.

Charlene Louise Donovan, Ph.D.

Janetta Earlice Jamerson, Ph.D.

Shana Valere Hamilton, Ph.D.
Naoka Kinoshita, Ph.D.

The motion carried.

Review/Ratify Initial Determinations/Recommendations by Board Members

Upon review, Dr. Strickler made a motion, seconded by Mr. Caye, to approve the initial recommendations by Board members for the following candidates:

Shane S. Bush, Ph.D./HSP
Shana Hamilton, Ph.D./HSP
Laura Hernbeck, Ph.D./HSP

The motion carried.

Review/Ratify Written Examination Results

Upon review, Dr. Kores made a motion, seconded by Dr. Lavin, to ratify the following EPPP examination results. The motion carried.

Elizabeth B. Lee, Ph.D.	Pass
William T. Dalton, III, Ph.D.	Pass
Jenaan Khaleeli, Ph.D.	Pass
Naoko Kinoshita, Ph.D.	Pass
Jennifer Hanket-Held, Psy.D.	Pass
Philip K. Axtell, Ph.D.	Pass
Jennifer L. Keller, Psy.D.	Pass
Bradley B. Haynes, Psy.D.	Pass

The motion carried.

Review/Ratify Ethics and Jurisprudence Examination Results

Upon review of the ethics and jurisprudence examination results, Dr. Martin made a motion, seconded by Dr. Sigler, to ratify the passing scores for the following candidates:

Janetta Jamerson, Ph.D.
Keith H. Crabtree, Ph.D.
Shana V. Hamilton, Ph.D.
Naoko Kinoshita, Ph.D.

The motion carried.

Review Licensure Files

Erin B. Vasconcelles, Ph.D./HSP

Dr. Martin made a motion, seconded by Dr. Kores, to approve Dr. Vasconcelles for a provisional license and to sit for the EPPP examination. The motion carried.

Teresa K. Cook, Ph.D./HSP

Dr. Martin made a motion, seconded by Dr. Kores, to approve Dr. Cook to sit for the EPPP examination. The motion carried.

Joshua Caron, Ph.D./HSP

Dr. Kemp made a motion, seconded by Dr. Kores, to approve Dr. Caron to sit for the EPPP examination. The motion carried.

Donna Wilson, Ed.D./HSP

Dr. Sigler made a motion, seconded by Dr. Martin, to approve Dr. Wilson to sit for the ethics and jurisprudence examination. The motion carried.

Joelle Shannon White, Psychological Examiner

Dr. Sigler made a motion, seconded by Dr. Martin, to approve the upgrade of Ms. White's psychological examiners license to a senior psychological examiner. The motion carried.

Annabella Wilson, Ph.D./HSP

Dr. Lavin made a motion, seconded by Dr. Kores, to approve Dr. Wilson to sit for the EPPP examination and be issued a temporary license. The motion carried.

Sheryl Ann Ebert, Ph.D./HSP

Dr. Lavin made a motion, seconded by Dr. Martin to approve Dr. Ebert to sit for the EPPP examination. The motion carried.

Frances Palin, Ph.D./HSP

Dr. Kores made a motion, seconded by Dr. Martin to approve Dr. Palin for a provisional license and to sit for the ethics and jurisprudence examination. The motion carried.

Elizabeth Meisinger, Ph.D./HSP

Dr. Kores made a motion, seconded by Dr. Martin to approve Dr. Meisinger to sit for the EPPP examination. The motion carried.

Sharon Farge, Psy.D./HSP

Dr. Kores made a motion, seconded by Dr. Martin to schedule Dr. Farge for the ethics and jurisprudence examination. The motion carried.

Stephanie Vaughn, Psy.D./HSP

Dr. Kores made a motion, seconded by Dr. Martin to issue Dr. Vaughn a provisional license and sit for the EPPP examination. The motion carried.

Rex Cannon

Ms. Hunter made a motion, seconded by Dr. Kores to approve Mr. Cannon as a certified psychological assistant. The motion carried.

Jim Petrea

Mr. Petrea's application evidenced documentation that he was deficient fifty-seven (57) hours of the required two hundred twenty five (225) Direct Client Service clock hours. Dr. Strickler made a motion, seconded by Dr. Kores to delay the decision on Mr. Petrea's application and allow Mr. Petrea to enroll in a formal practicum course in order to earn the additional required direct service hours to obtain his certification as a psychological assistant. The motion carried.

Review/Respond to Correspondence

The Board reviewed a letter from **Martha Storie with the Association of State and Provincial Psychology Boards** regarding establishing a working relationship with the Board. This person would be the liaison with the Board of Directors of the Association of State and Provincial Psychology Boards. Mr. Caye was selected to represent the Board.

The Board reviewed an email from **Trevor Milliron, Ph.D., President of the Tennessee Psychological Association** regarding supervision of certified psychological assistants by senior psychological examiners. Dr. Sigler made a motion, seconded by Dr. Martin to place this issue on the agenda for the next Board meeting. The Board requested that the Tennessee Psychological Association (TPA) be invited to the next Board meeting, which is August 27 – 29, 2008 to address the need for this change as the Board is interested in their opinion. The motion carried.

Mr. Caye stated that the Office of General Counsel is drafting a letter to the TPA clarifying the Board's position regarding Board member presence at TPA meetings with the understanding that

no member can represent the Board at a meeting, that they are just attending the meeting as a citizen. Dr. Gilleylen stated that the TPA is to contact Ms. Spitznas regarding issues they would like to come before the Board and Ms. Spitznas is to clear this with the Board chair.

The Board reviewed correspondence from the **ASPPB** regarding their new mobility program, Interjurisdictional Practice Certificate (IPC). This topic is to be placed on the agenda for the next Board meeting August 27 – 29, 2008.

Peer Assistance Grant

Ms. Layden discussed with the Board the status of the Peer Assistance Grant stating the proposal is still under review and she is awaiting feedback from the Attorney General's Office.

Association of State and Provincial Psychology Boards (ASPPB)

The Board discussed the upcoming annual meeting of the ASPPB in Nashville, Tennessee being the host state for the event. After discussed, Dr. Martin made a motion, seconded by Dr. Kores that the Board allow \$4,000.00 to cover costs of hosting the reception and gifts pending final approval from the Department of Finance and Administration. The motion carried.

Dr. Sigler made a motion, seconded by Dr. Martin for the entire Board to attend the conference at the expense of the Board. The motion carried.

Election of Officers

Dr. Kemp made a motion, seconded by Ms. Hunter to nominate Dr. Martin as chair. The motion carried. Dr. Kores made a motion, seconded by Dr. Sigler to nominate Dr. Lavin as vice chair. The motion carried.

With no other board business to conduct, Mr. Caye made a motion, seconded by Dr. Sigler, to adjourn the meeting at 12:00 p.m. The motion carried.

Ratified by the Board of Examiners in Psychology on August 27, 2008.