

# Board of Psychology

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**Friday January 11, 2019 @ 9:00 AM**

Public Minutes

The January 11, 2019 meeting of the Board of Psychologists convened at 9:00 a.m. at the Office of Professional Licensure and Certification, 121 South Fruit St., Concord, NH with the following members present:

Anna L. Elbroch, Esq., Chair  
Steven C. Atkins, Psy.D.  
James Halla, Psy.D.  
Robert P. Walrath, Psy.D.  
Tonya Warren, Psy.D.  
Deborah Warner, Ph.D. (9:30 a.m. – 11:30 a.m.)  
Klaran Warner, Ph.D.

Absent: Lauren Greenwald, Esq.

## **ADMINISTRATIVE**

The Minutes of the December 7, 2018 public session were approved with a motion by Tonya Warren, Psy.D., and a second by Robert Walrath, Psy.D. and all other members present voting in the affirmative, with the exception of Klaran Warner, Ph.D. who was not present at the December 7, 2018 meeting.

The Board welcomed new Board member Klaran Warner, Ph.D. (public member).

The Board welcomed new Board Attorney Jon (JD) Lavallee. Attorney Lavallee left the meeting following introductions.

The Board discussed revising the application essay exam questions. After the Board's ongoing review of essay responses, and feedback from applicants, the Board determined it's in the best interest of the public, licensing applicants and the profession to make changes which would better test applicants' competence to practice psychology. With a roll-call vote by the seven members present, the Board approved eliminating essay question 1 as follows: five voted in favor, Deborah Warner, Ph.D., opposed and Klaran Warner, Ph.D. abstained.

The Board discussed revising essay question 2 as follows: "Practicing in New Hampshire can bring many challenges for the licensed psychologist. Please clarify what clinical skills you bring to our state. Please specify the areas you feel competent to treat and/or address upon receiving your license. Moreover, please clarify areas you feel you will need training and/or supervision, including specific techniques by which you will acquire

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new professional skills. The purpose of this essay is to clarify what you feel you bring to our state, how you will address the needs you identify which may be above and beyond the training you have received to date. Addressing the varying needs in an urban vs. rural setting and areas of competence is a typical concern and issue for practicing psychologists.” The Board will review the wording of this essay further then vote at the next Board meeting.

Upon the motion by Anna Elbroch, Esq., and a second by Tonya Warren, Esq., the Board voted unanimously to revise exam essay 5 as recommended by James Halla, Ph.D.: “Demonstrate your understanding of how to collaborate successfully and ethically with other mental health and healthcare professionals, recognizing that those other professionals may have different ethical codes and practices.”

Upon the motion by Anna Elbroch, Esq., and a second by Tonya Warren, Esq., the Board voted unanimously to revise exam essay 6 as recommended by James Halla, Ph.D.: “Explain how your records will be managed in the event of your impairment or death in both an organizational and private practice setting. Discuss how you would address any differences between Psychologist’s ethical codes regarding record-keeping and the practices of an institution. Be sure to also address how long client records as well as should be kept according to the Board’s administrative rules.”

The Board discussed the 300 word count minimum for each essay. The Board discussed either revising the rule or adding to the licensing application cover letter (s) to say that citation text or professional references will not count towards the word count minimum.

Upon a motion at 11:00 a.m., by Anna Elbroch, Esq., and a second by James Halla, Psy.D., the Board moved from public session to non-meeting.

Upon a motion at 11:15 a.m., by Anna Elbroch, Esq., and a second by James Halla, Psy.D., the Board moved from non-meeting back into public session.

Deborah Warner, Ph.D., advised the Board that the PsyPact bill has been submitted (HB 483).

Corrective Supervision Guidelines – tabled until the March, 2019 meeting

## **PUBLIC HEARING**

N/A

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## QUALIFICATION AND LICENSURE

On a motion by Tonya Warren, Psy.D., and a second by Anna Elbroch, Esq. with Robert Walrath, Psy.D. recused, the Board unanimously approved the following Applicant for licensure:

- St. Jean, Brittany

On a motion by Robert Walrath, Psy.D., and a second by Tonya Warren, Psy.D., the Board unanimously approved the following Applicants for licensure:

- Colburn, Nancy
- Lenzen, Alexandra
- Shackett, Caroline
- Szkodny, Lauren

On a motion by Tonya Warren, Psy.D., and a second by Robert Walrath, Psy.D., the Board unanimously voted to deny licensure to Herman Randall. The Board is concerned that the essays addressed practice issues, rather than clear ethical dilemmas. In accordance with Psyc 303.05, the Board requests Dr. Herman re-write his essays to further demonstrate a greater level of critical thinking of the application of ethical codes, including pros and cons of possible courses of action of the ethical dilemmas presented.

On a motion by Tonya Warren, Psy.D., with a second by Steve Atkins, Psy.D., the Board unanimously denied a request for reinstatement from Lori Hillard. Per rule Psyc 303.05, the Board is required to review the essays for a minimum word limit. Although the content of Essay 6 is appropriate, the word minimum is insufficient. As a result, the Board requests Dr. Hillard re-write and re-submit Essay 6.

Upon a motion by tonya Warren, Psy.D., with a second by Robert Walrath, Psy.D., the Board unanimously approved the following Applicant for a 90-Day temporary licensure:

- Van Schaick-Harman, Laura

Request (s) to sit for the EPPP Exam.

N/A

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## QUESTIONS

The Board reviewed the following questions and prepared the corresponding responses.

### QUESTION 1: (From Lyndsay Staples)

I am a current doctoral intern in psychology planning to apply for licensure at the conclusion of my clinical training here in New Hampshire. I wondered if you could please help me to direct a question about this.

My goal is to be eligible to apply for licensure and take the EPPP as soon as possible. Is it true that in order to do this I must have obtained 12 months (2000 hours) of post doctoral training **following conferral of my PhD?** I ask because I have defended my dissertation and will complete my internship on 6/28/19. According to my APA-accredited university, my degree can be conferred either 6/14/19, 2 weeks before my internship concludes, or the following fall. I am trying to determine the best course of action, because I do not want to unnecessarily extend postdoctoral training beyond the 12 months (i.e., begin a postdoc in July 2019 but have the first several months not “count” because my degree was technically not conferred). Alternatively, I do not want to cause future problems because my degree was conferred 10 business days before conclusion of my internship. Do you know where I can direct these questions to determine which option to take? So, as the rules outline, one year of training must be before and one year must be after the academic institution has certified that the applicant has completed all of the requirements (i.e., degree conferral). In my case, conferral is 2 weeks prior to end of internship. So my internship spans 12 calendar months, i.e. 52 weeks (July 1 through June 30), but my university refuses to hold off on conferral until after my internship and must confer on June 14, just barely before a full year of internship.

The next potential conferral date is September 13th. So if the conferral date presents a problem, even though I will be completing 12 full months of internship and 12 full months of post doctoral training, the date on the university paperwork could force me to extend my post doctoral training to 15 months for it to “count” as 12 months after degree conferral. My hope is that the spirit of the rule will take priority over the technical hitch, but I wanted to check now before I decide on my conferral date from my university.

### ANSWER:

The Board is in favor of interpreting the Post-doctoral supervision described under Psyc 302.05 to begin when an institute certifies that all requirements of the degree are complete, even if the degree has not been conferred. It is anticipated that Psyc 302.05 will be clarified to reflect this interpretation as soon as possible.

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Steve Atkins, Psy.D., recommended adding a similar, condensed question to the FAQ on the Board of Psychologists website, with the following response: “No, according to 302.05, the NH Board of Psychologists clarifies post-doctoral hours can commence upon the completion of the doctoral program requirements. The time of the completion of the program requirements must be certified by the granting institution. Completion of requirements includes all academic courses, completion of pre-doctoral internship, and dissertation.” The Board will discuss further at the next opportunity.

QUESTION 2: (From Laurie Manning – PESI, Inc.)

PESI, Inc. provides continuing education to behavioral health professionals, rehabilitation professionals and health care professionals. We are an approved provider for ACCME (Accreditation Council for Continuing Medical Education) and through this providership, we offer AMA PRA Category 1 Credit™ on many of our behavioral health programs. Activities certified for AMA PRA Category 1 Credit™ must meet both the AMA's and ACCME's requirements and is a recognized form of CME by both organizations. (<https://www.ama-assn.org/education/cme/ama-pra-credit-system>)

In your rules and regulations:

PART Psych 402 Continuing Education

Psych 402.01 Approved Continuing Education Units (CEU's)

(d) Category A seminars, workshops and home study shall consist of sessions and/or study materials that are offered through or approved by one of the following groups:

(6) American Medical Association;

Given that the board approves continuing education units approved by the AMA, will AMA PRA Category 1 Credit provided by PESI, be accepted by the board?

**ANSWER:** In accordance with Psych 402.01, credits approved by AMA are acceptable. Please continue to check the rules as the acceptable agencies may change.

QUESTION 3: (From Debi Languais)

My name is Debi Languais and I recently graduated with my second master's degree from SNHU. My first master's was in jurisprudence and this one is in forensic psychology. I am in the process of developing a business plan for future use, however, am unclear at this time of what exactly a graduate student can apply toward a mental health career and which licenses/certifications (if any) are required. I have queried several professors and the SNHU office and no one seems to ever give me a clear answer. I do have a couple of specific questions which are "who can administer and interpret psychological tests and is there a specific process a graduate student would take to obtain licensing to conduct such interviews, assessments, and evaluations only?"

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ANSWER: The Board of Psychologists only has jurisdiction over psychologists and is not able to comment about masters level requirements or abilities. It is possible you may be able to get more information from the Board of Mental Health Practice and or the Department of Education

QUESTION 4: (From Aimee Stashak-Moore, Practice Manager - Psychological Consulting Services, LLC)

I am writing with specific questions regarding conducting forensic evaluations in the State of New Hampshire. Can you please clarify how the work of out-of-state forensic psychologists falls within the New Hampshire licensing board rules and regulations, specifically in regards to the following:

- Forensic evaluations completed pursuant to RSA Chapter 135:17 and such, which specifies that out-of-state licensed psychologists may complete those evaluations. Therefore, are such evaluations exempt from licensing rules or regulations?
- Forensic evaluations completed for the New Hampshire Public Defender's Office. If not considered a State Agency, are forensic evaluations exempt under "other entities"?
- What case law has been established in New Hampshire related to evaluations/testimony of out-of-state forensic evaluators? It is our understanding that at least one New Hampshire court has ruled on this issue. How has the licensing board addressed this issue?
- Is testimony in court considered under the purview of licensing since there is not direct service provided to an individual?
- How would temporary licensure rules apply to forensic evaluation services when the work conducted during the course of an evaluation is usually one day at a time, sporadic throughout a year, rather than a single block of time (i.e., one or two interviews/testing sessions and separate possible testimony dates on an as needed, rather than regularly scheduled, basis). Would a temporary license need to be requested each time prior to each interview session or testimony date, if applicable, for each evaluation done? If so, what is the wait time for approval for temporary licensure?
- Is there reciprocity or a more streamlined process for licensure application for well-established, out-of-state psychologists, from states with parity or greater licensing requirements than New Hampshire?

ANSWER: Thank you for your question. Any psychologist who is practicing in the state of New Hampshire as a psychologist must be licensed to practice in some capacity under the adopted Rules. Psyc 303.04 describes the requirements for temporary licensure for those licensed in another state.

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## FOLLOW-UP ON APPLICANTS FROM NOVEMBER 2, 2018

- Stephens, Bethanie – No update
- DiMarco, Jessica – Public Hearing scheduled for February 1, 2019 at 10:00 a.m.
- Afolayan, Abimobola – A written request was received from the Applicant on January 7, 2019 to re-take the EPPP Exam. Upon a motion by Tonya Warren, Psy.D., with a second by James Halla, Psy.D., the Board approved the Applicant to re-take the EPPP Exam. The Board Administrator will notify Dr. Afolayan.

Upon a motion at 11:45 a.m. by James Halla, Psy.D., and a second by Tonya Warren, Psy.D., the Board voted to go into non-public session Per RSA 91-A:3 II (c).

Upon the motion at 12:25 p.m. by Robert Walrath, Psy.D., and a second by Tonya Warren, Psy.D., the Board moved out of non-public session back into public.

Upon motion at 12:25 p.m., by James Halla, Psy.D., and a second by Tonya Warren, Psy.D., the Board voted to withhold and seal the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A: 3 III, that divulgence of the information likely would affect adversely the reputation of a person other than a Board member and to render the propose action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

The Board adjourned at 12:27 p.m. with a motion made by Robert Walrath, Psy.D., and a second by Tonya Warren, Psy.D.