

Board of Psychology

Friday, April 5, 2019 @ 9:00 AM
Public Minutes

The April 5, 2019 meeting of the Board of Psychologists (the "Board") 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.
Tonya Warren, Psy.D.
Deborah Warner, Ph.D.
Lauren Greenwald, Esq.

Absent: Robert P. Walrath, Psy.D.
Klaran Warner, Ph.D.

At 9:00 a.m., the Board entered into a non-meeting with Board Counsel.

At 10:05 a.m., the Board convened the public session of the meeting.

ADMINISTRATIVE

The minutes of the March 1, 2019 public session were approved with a motion by Deborah Warner, Ph.D., and a second by Tonya Warren, Psy.D., and all other members present voting in the affirmative.

The Board updated the manual for Board members with application information for the Psychology Licensure Universal System (PLUS).

The Board reviewed a notice from the Department of Health and Human Services regarding its Graduate Psychology Education Program (GPE). The Board treated it as an FYI and took no further action.

QUALIFICATION AND LICENSURE

1. Application for Licensure

- Upon motion by James Halla, Psy.D., with a second by Lauren Greenwald, Esq., the Board voted to send a letter to Herman Randall, advising him that his application did not need to be withdrawn. The application on file will be

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maintained until he completes 3 CE's in ethics, to be completed within 60 days. At that time, the Board will review his application for licensure. ~**Motion Approved**

- Upon motion by James Halla, Psy.D., with a second by Lauren Greenwald, Esq., the Board voted to accept the essays and approve the application for licensure, for Shari Williams, with two areas to point out. First, a student can be in college under the age of 18. Second, there MUST be a plan developed regarding records pertaining to death or disability. ~**Motion Approved**
- Upon motion by Deborah Warner, Ph.D., with a second by Lauren Greenwald, Esq., the Board voted not accept the 3rd, 4th and 5th essays of Alissa Williams, which the Board had her redo at its last meeting. The Board voted to have Alissa Williams appear before them at its May or June meeting. ~**Motion Approved**

2. License Reinstatement

N/A

3. Application for Temporary Licensure

- Upon motion by Tonya Warren, Psy.D., with a second by Lauren Greenwald, Esq., the Board voted to approve the 30 day temporary license of Ekaterina Pivovarova. ~**Motion Approved**
- Upon motion by James Halla, Psy.D., with a second by Steven Atkins, Psy. D., the Board voted to approve the 90 day temporary license of Lauren Lussier. ~**Motion Approved**

4. Request to Sit for Exam

N/A

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PUBLIC HEARING

At 11:00 a.m., a public hearing was held to receive comments on a proposed rule, Psych 401.02(d)-(g). In attendance was Thomas Broderick, Esq., the OPLC rulemaking attorney. The hearing was closed at 11:27 a.m. No members of the public showed up for the public hearing. Upon motion by Steven Atkins, Psy.D., with a second by James Halla, Psy.D., the Board voted to approve the final draft of the proposed rule, with changes suggested by JLCAR staff attorneys.

Attorney Broderick discussed other proposed rule changes to the administrative rules with the Board. He will draft an initial proposal for review by the Board.

Motion to commence 1st Non-Public Session:

At 12:05 p.m., upon motion by Deborah Warner, Ph.D., with a second by Lauren Greenwald, Esq., the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. ~**Motion Approved**

1st Non-Public Session:

[Minutes kept separately]

At 12:20 p.m., upon motion by Deborah Warner, Ph.D., with a second by Tonya Warren, Psy.D., the Board voted to go out of non-public session and back into public session. ~**Motion Approved**

At 12:20 p.m., upon motion by Deborah Warner., Ph.D., with a second by Lauren Greenwald, Esq., 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 proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present. ~**Motion Approved**

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QUESTIONS

QUESTION 1 From Jessica Leonard – NHPA

Regarding the requirement for psychologists to supervise other psychology trainees states that the supervisor needs a minimum of 2 years after being licensed. Please clarify if that means licensed in NH only and consistently? (For example, can a psychologist who has been licensed for 2+years in another state and just transferred to NH with a NH license be a licensed supervisor for post-docs in NH? Another example, can a psychologist who had been licensed for 10+ years in NH, allowed NH license to expire but recently retained licensure in NH again be a supervisor for post-docs in NH or would that said psychologist have to wait two years again?)

Answer: Psych 302.05(a)(3) describes the requirements of post-doctoral clinical supervisor.

QUESTION 2 From Taja Slaughter – ASPPB

We are still actively engaged in our program assessment activities and need your assistance regarding the Interjurisdictional Practice Certificate (IPC). New Hampshire is listed as accepting the IPC for temporary practice. We have several questions and your response would be much appreciated as we try to determine if it is still being used the way it was intended and review this program in light of the IPC's inclusion in PSYPACT.

1. When an IPC holder attempts to use the IPC in New Hampshire and ASPPB sends verification of the IPC, what are the IPC holders next steps? Are there additional forms to complete? Do they need to be contacted by the board prior to practicing in New Hampshire?
2. Besides the IPC, are there other avenues to gain temporary authority to practice in New Hampshire?
3. If the IPC was closed, how would New Hampshire be affected?

Answer: Steven Atkins, Psy.D., addressed this issue with Taja Slaughter at the ASPPB meeting. Also, Steven Atkins, Psy.D. will communicate with Matthew Turner regarding the Board's thoughts on early adoption of PSYPACT. The Board members are interested in the concept.

QUESTION 3 From Alden Hori, Ph.D.

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I would like to inquire about the status of the EPPP Part 2. This is a new exam developed by ASPPB and is designed to assess the practice skills needed for the independent

practice of psychology. My understanding is the board in each jurisdiction can decide when to make this second exam a licensing requirement for psychologists.

Can you tell me when the EPPP Part 2 will be a requirement to become a psychologist or when that decision will be made?

Answer: The decision is under review by the Board and there is no specific timeline for when a decision will be made.

QUESTION 4 From Clelia Sigaud, MS, BCBA

Note to the Board: Clelia confirmed she will be pursuing licensure as a psychologist in NH; these questions are not related to her becoming a licensed school psychologist.

Thank you for your help. My prospective clinical supervisor in NH is insisting that I speak to the board directly about our concerns, in order to ensure that I would be able to meet licensure requirements through the prospective placement. I know that the NH board does not provide pre-approvals. I am just seeking conformation that my prospective supervisor and I are reading the regulations correctly. Is there a board member I could email or call directly? Or is there another way to get questions clarified directly by the board? If you are able to help me with this I would be very grateful. Thank you so much.

I will be graduating from the University of Southern Maine this summer with a PSy.D in School Psychology. I am interested in becoming licensed in NH after finishing my post-doctoral hours. At this time, I am contemplating pursuing a post-doc experience in NH, but regardless of where it takes place, I would like to design it in such a manner that it makes me license eligible.

I have heard from some practitioners that the NH board required School Psychology post-doctoral experiences to be supervised by a licensed School Psychology, and that supervision by a licensed Clinical Psychologist would not meet requirements. However, when I look at the regulations available on the website, it does not appear to me that the language about post-doc training makes this distinction. Are you able to clarify?

Answer: This Board does not license school psychologists. However, if applying to be a licensed psychologist, you would need to comply with the Board of Psychology rules requiring a supervisor who is a New Hampshire licensed psychologist

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QUESTION 5 Richard Guerriero, Esq., Lothstein Guerriero PLLC

This attorney requests clarification from the Board regarding temporary licensing for out-of-state psychologists who are performing legal evaluations for a court case involving a criminal defendant. Specifically, RSA 329-B:20, I, which allows for up to 30 days for out-of-state psychologists who have certain certifications, is that 30 total days over the course of a year, or is it 30 continuous days? Similarly, regarding the temporary 90-day license under RSA 329-B:20, III, may that temporary license be used for a cumulative total of 90 days in one year, or is it limited to 90 continuous days?

Answer: Under Psych 303.04, the temporary license options of 30 and 90 days are consecutive days. However, the rule, specifically 303.04(b)(1)e) and 303.04(c)(1)(e), requires attestation that any work beyond the day limit is prohibited "without express approval of the board." Please note that in the specific situation you describe of a psychologist assisting in a trial, the Board is receptive to utilizing this provision to address your concerns.

FOLLOW-UP ON APPLICANTS FROM MARCH , 2019

- Murphy, Kate (approved to sit for EPPP on 11/2/2018)
 - 4/5/2019 – No update
 - 2/2/2019 – Took exam (failed)

- Reinert, Jacquelyn (approved to sit for EPPP 2/1/2019)
 - 4/5/2019 – No update
 - 2/25/2019 - No update

- Ronayne, Michelle (approved to sit for EPPP 2/1/2019)
 - 4/5/2019 – No update.
 - 2/25/2019 – No update

- Roy, Alison (approved to sit for EPPP 3/1/19)
 - 4/5/019 – No update

- Wentworth, Colleen (approved to sit for EPPP 3/1/19)
 - 4/5/2019 No update

James Halla, Psy.D., wanted the Board to be aware that PESI, which provides continuing education for psychology and mental health is no longer approved by the APA. A question arose about giving credit to PESI courses taken before the APA withdrew approval. The Board said the question should be presented to the Board for discussion.

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The Board wants to discuss notifying licensees of the random audit before renewal, which was done last year. The Board asked this to be added to the May agenda.

The Board wants to move its next meeting to May 10 or May 17, preferably May 10. Staff will check on the availability of a room and get back to Board members.

At 1:00 p.m., the Board voted to adjourn the meeting.