# Board of Psychology

**Friday, May 10, 2019 @ 9:00 AM**
Public Minutes

The May 10, 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.
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 9:30 a.m., the Board convened the public session of the meeting.

## ADMINISTRATIVE

The minutes of the April 5, 2019 public session were approved with a motion by Steven Atkins, Psy.D., and a second by Tonya Warren, Psy.D., and all other members present voting in the affirmative.

Certificate – Shari Ann Robinson

Rule Update Review – JLCAR – 11:00 a.m. (Attorney Tom Broderick)

Proposed Change to Question Essay #2 – 11:00 a.m. (Attorney Tom Broderick)

License Renewal Process and Audit – The Board had questions regarding notifying licensees of the random audit before renewal, which was done last year. The Board asked this to be added to the June agenda.

PESI CEU problems – At last month's meeting, the Board became 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. James Halla, Psy.D. provided an update to the Board that PESI is approved by the APA and is a currently approved provider in NH but the pamphlets from PESI are unclear as to whether approval is on a case-by-case basis. The Board will discuss the issue with Board counsel.

## PUBLIC HEARING

The Public Hearing for Alissa Williams, who is an applicant for licensure, commenced at 9:55 a.m. Applicant Williams was notified to appear before the Board to provide an explanation and answer questions, as a result of her failing her essays a second time. Applicant Williams was asked to explain her answers to Essay Numbers 3, 4 and 5. After her explanation and response to questions from the Board, the Board asked Applicant Williams to wait outside the Board room, so the Board could deliberate upon her application.

At 10:15 a.m., upon motion by Deborah Warner, Ph.D., with a second by James Halla, Psy.D., the Board voted to go out of public session and into non-public session, to deliberate upon Applicant Williams application.

At 10:20 a.m., upon motion by Steven Atkins, Psy.D., with a second by Robert Walrath, Psy.D., the Board voted to go out of non-public session and into public session.

Applicant Williams was called back into the Board room. The Board informed Applicant Williams that her explanation and answers were very thoughtful and thorough. Upon motion by Deborah Warner, Ph.D., with a second by Steven Atkins, Psy.D., the Board voted to grant full licensure to Alissa Williams.

## QUALIFICATION AND LICENSURE

1. Application for Licensure

- Upon motion by Tonya Warren, Psy.D., with a second by Robert Walrath, Psy.D., the Board voted to approve the application for licensure for Maurissa Abecassis. **~Motion Approved**

- Upon motion by Steven Atkins, Psy.D., with a second by James Halla, Esq., the Board voted to send a letter to Jessica DiMarco, informing her that it still had questions about the number of hours she has worked pre and post licensure and to resubmit the form entitled "Summary of Supervised Clinical Experience", with those number of hours. The Board also voted to have Jessica DiMarco redo her essays to further demonstrate a greater level of critical thinking of the application of ethical codes. **~Motion Approved**

- Upon motion by Lauren Greenwald, Esq., with a second by Steven Atkins, Psy.D., the Board voted not to accept the revised essays and proof of CEU completion from Randall Herman. The Board voted to have Randall Herman appear at the

July 12th meeting to discuss those issues and suggests that Randall Herman review the Ethics Code in NH regarding the treatment of minors prior to that meeting. **~Motion Approved**

- Upon motion by James Halla, Psy.D., with a second by Tonya Warren, Psy.D., the Board voted to approve the application for licensure of Jennifer O'Keefe. **~Motion Approved**

- The Board treated Michelle Ronayne as an FYI for passing her EPPP on April 23, 2019.

- Upon motion by Tonya Warren, Psy.D., with a second by Steven Atkins, Psy.D., the Board voted to approve the application for licensure of Varalakshmi Saripalli. (James Halla, Psy.D., opposed) **~Motion Approved**

- Upon motion by Deborah Warner, Ph.D., with a second by Tonya Warren, Psy.D., the Board voted to send a letter to Janine Scheiner informing her that she can apply for licensure, as she is currently licensed in another state and was previously licensed in NH, but must complete the essays and undergo a background check. (Steven Atkins, Psy.D., and Klaran Warner, Ph.D., recused) **~Motion Approved**

- Upon motion by Robert Walrath, Psy.D., with a second by Lauren Greenwald, Esq., the Board voted to approve the application for licensure of Elizabeth Souffront. (James Halla, Psy.D., opposed) **~Motion Approved**

- Upon motion by James Halla, Psy.D., with a second by Tonya Warren, Psy.D., the Board voted to approve the application for licensure of Sherry Thrasher Roach. **~Motion Approved**

- The Board treated Alissa Williams as an FYI as she was approved for licensure at today's meeting.

2. License Reinstatement

N/A

3. Application for Temporary Licensure

- Upon motion by James Halla, Psy.D., with a second by Deborah Warner, Ph.D., the Board voted to approve the 90 day temporary license of Daniel Rothstein. **~Motion Approved**

4. Request to Sit for Exam

N/A

At 11:00 a.m., Thomas Broderick, Esq., the OPLC rulemaking attorney, appeared before the Board on several proposed rule changes. Upon motion by Steven Atkins, Psy.D, with a second by James Halla, Psy.D., the Board voted to adopt Psyc 401.02 pertaining to the rural health professions survey.

Upon motion by Deborah Warner, Ph.D., with a second by Lauren Greenwald, Esq., the Board voted to approve the draft initial proposal for Psyc 210.01 pertaining to the waiver of substantive rules.

The Board reviewed the draft initial proposal containing several changes to the Psyc 300 rules. There was much discussion and disagreement, particularly with the language of Psyc 303.05(a)(1). Upon motion by James Halla, Psy.D., with a second by Lauren Greenwald, Esq., a discussion ensued to remove the proposed language from Psyc 303.05(a)(1). The Board, by roll call vote, ended in a tie 4-4. ~**Motion Failed**

The Board decided to table the draft initial proposal for the Psyc 300 rules until next month's meeting for further discussion.

Attorney Broderick answered other rule questions. There was a question as to whether an applicant had to pay an additional $300.00 fee when a withdrawn application was resubmitted or if the fee could be waived pursuant to the rules. The application fee cannot be waived because the fee is set by statute, not rule.

There was a question regarding consequences for failing the EPPP. The Board decided, after discussion with Attorney Broderick, to not address this issue in the rules.

## QUESTIONS

**QUESTION 1** From Matthew Turner, Ph.D. - Senior Director of Examination Services-ASPPB

"As you likely know, the Enhanced EPPP is scheduled to launch January of 2020. The Enhanced EPPP includes assessment of foundational knowledge (EPPP Part 1) and skills (EPPP Part 2). Collectively, this is will provide jurisdictions with a more comprehensive measure the competency of licensure candidates.
Starting in January, each jurisdiction will have the option of using the current method of foundational knowledge assessment as measured by the EPPP Part 1 or the Enhanced

EPPP, the two-part competency assessment. I am reaching out to you determine where your jurisdiction stands with regards to adopting the Enhanced EPPP. If you would like to be included as an early adopter (January 2020-December 2021), please let me know and we will be sure to include you in the registration process. If you are unsure or would like more information, please advise. I have found that there are many questions and sometimes a quick phone call or email correspondence can help answer those questions. If your jurisdiction is not interested in this assessment, it is important that I know this as well.

I will be presenting on the Enhanced EPPP at the Mid-Year meeting in Santa Fe, NM that will take place April 11-14. We will be showing some of the items developed for the exam and allowing your board members to take an abbreviated sample test if they have an interest. We are also scheduling visits to present to Jurisdiction Boards. If a face to face meeting would help clarify any questions, we would be willing to send a representative to discuss the new format.

As I mentioned above, it is very helpful for me to know the plans for adoption in your jurisdiction as we prepare for the January launch. Please send me a quick response at your earliest convenience.

For a basic overview of the Enhanced EPPP, you may look at the FAQ sections of our website:https://cdn.ymaws.com/www.asppb.net/resource/resmgr/eppp_2/eppp_part_2_faq_oct_2018.pdf

Answer: The Board requests that Matthew Turner be invited to come and speak to the Board at his earliest convenience.

**QUESTION 2** From Heather Earle, Ph.D.

"I am trying to find the NH Psychology Board rules on telecounseling. The only info I can find is the below, which doesn't give much info (and I can't find 541-A)

**329-B:16 Electronic Practice of Psychology, Tele-Health, Telemedicine.** – Persons licensed by the board who practice electronically shall be subject to standards of care for the practice of telemedicine and tele-health for psychology established by the board pursuant to rules adopted under RSA 541-A.

However, in looking at the APA guidelines, it does not address questions such as: can psychologists in NH provide teletherapy across state lines/internationally? Can a NH psychologist provide teletherapy as the sole form of treatment (without any in-person assessment), etc.

This is not something that our clinicians will be engaging in, but we get asked this question a lot. Thus, it will be helpful to provide an answer from our board. I am assuming that a clinician cannot practice therapy across state lines unless they are licensed in the other state as well (clinicians must pursue licensure in each state in which they wish to do tele-counseling).

Answer: The Board refers you to the relevant statutes and rules pertaining to Telemedicine and Tele-health, which you have already reviewed, as cited in your question. The Board cannot render legal advice or interpret the law and rules, therefore the Board cannot answer your question.

**FOLLOW-UP ON APPLICANTS FROM APRIL 5, 2019**

- Murphy, Kate
  - 5/10/2019 – Approved to sit for EPPP a second time
  - 4/5/2019 – No update
  - 2/2/2019 – Took exam (failed)
  - 11/2/18 – approved to sit for EPPP

- Reinert, Jacquelyn
  - 5/10/2019 – Approved to sit for EPPP a second time
  - 4/30/2019 – Took exam (failed)
  - 4/5/2019 – No update
  - 2/25/2019 - No update
  - 2/1/19 - approved to sit for EPPP 2/1/2019

- Stephens, Bethanie (EPPP and essays)
  - No update
  - 2/25/19 – received letter from Applicant advising she was taking EPPP in another jurisdiction in March, 2019
  - 2/22/2019 received revised essays and curriculum vitae from Applicant
  - 2/4/2019 sent letter to Applicant for clarification
  - 1/29/2019: Question received from Applicant to the Board

- Ronayne, Michelle
  - 5/10/2019 – Passed EPPP on 4/23/2019
  - 4/5/2019 – No update
  - 2/25/2019 – No update
  - 2/1/19 – approved to sit for EPPP

- Roy, Alison
  - 5/10/2019 – Approved to sit for EPPP a second time but no special accommodations granted
  - 4/23/2019 – Took exam (failed) and requests a special accommodation
  - 4/5/2019 – No update
  - 3/1/19 - approved to sit for EPPP

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

**Motion to commence 1st Non-Public Session:**

At 1:00 p.m., upon motion by Steven Atkins, Psy.D., with a second by Tonya Warren, Psy.D., 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 1:45 p.m., upon motion by Deborah Warner, Ph.D., with a second by Steven Atkins, Psy.D., the Board voted to go out of non-public session and back into public session.
**~Motion Approved**

At 1:45 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**

At 1:45 p.m., the Board voted to adjourn the meeting.