

State of New Hampshire
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
Division of Health Professions
Board of Psychology
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BOARD OF PSYCHOLOGY
PUBLIC MINUTES OF JUNE 5, 2020, MEETING

The regularly scheduled meeting of the Board of Psychology (“the Board”) was held via Zoom on June 5, 2020, beginning at 9:03 a.m. with the following members present:

Board:

Robert Walrath, PsyD, Chair (RW)
Tonya Warren, PsyD, member (TW)
James Beauregard, PhD, member (JB)
Deborah Warner, PhD, member (DW)
James Halla, PsyD, member (JH)
Lauren Greenwald, Esq. (LG)

Board Staff:

Lindsey B. Courtney, Interim Executive Director (LBC)

Public

Jessica Leonard, New Hampshire Psychological Association (NHPA)

I. ADMINISTRATIVE

- A. New chair election: The Board discussed the statutory requirement that the Board Chair alternate between a psychologist member and a public member. DW moved to nominate LG, seconded by TW. The Board discussed the motion. LG requested to have a trial period. The Board voted via roll call to unanimously elect LG as the Board Chair for six months. Election of Vice Chair. DW noted that she would like to volunteer. JB moved to nominate DW as the Vice Chair, which was seconded by TW. The Board discussed the nomination of Vice Chair. The Board voted unanimously via roll call to elect DW as Vice Chair.

- B. Review the Minutes from May 1, 2020, public session. TW moved to accept the minutes as written, which was seconded by JH. Discussion ensued regarding the timing of minutes. The Board voted to accept the minutes as written. LG abstained.

II. NEW BUSINESS

- A. School Psychologist concerns. The Board discussed an email concerning school psychologists and EO #48. EO #48 has been interpreted by the New Hampshire Association of School Psychologists that school psychologists would have to administer psych testing remotely. DW provided an overview of the issue and a discussion ensued. RW noted that, if the Board weighs in at all, it should be limited to ethical requirements only. A discussion ensued. Jessica Leonard (JL) from NHPA noted it was trying to put together some guidelines, but would like a statement from the Board regarding resources psychologists should review. DW moved that the Board should prepare a statement that reiterates the ethical responsibilities of school psychologists and references ethics codes and needs for the proper use of standardized instruments. JB seconded the motion. RW to draft the statement. The Board voted unanimously via roll call vote in favor of the motion.
- B. School Psychologist Advisory Committee, May 28, 2020 update. DW noted the School Psychologist Advisory Committee (SPAC) meeting went well, and debriefed the Board. DW asked for a motion to appoint Jeanette Souther as a school administrator to the SPAC, which was seconded by JB. The Board voted unanimously via roll call to appoint Jeanette Souther to the SPAC.

DW noted the packet was not sent to school psychologists. Steve Appleby had volunteered to get out the packet. LBC to follow-up. DW has the latest packet if LBC needs a copy.

- C. Temporary Licensure of Forensic Psychologists. RW explained there had been a request regarding temporary licensure for forensic psychologists. JH noted the issue had come up many times previously. The Board had previously voted to not grant a waiver to forensic psychologists. DW noted we do not have enough forensic psychologists. The statute online has not been updated to reflect SB 684. The rules also need to be updated. DW volunteered to converse with the Child Advocate and Public Defender's Office and determine if solutions work for them.

LG recalled that the Board had worked on a solution for this issue and wondered if the letter was trying to convey that the solution was not working. LG volunteered to speak with the Public Defender's Office regarding SB 684 to determine if SB 684 would alleviate the concern. LG noted the administrative hang-ups for applying for temporary licensure may be an issue. LBC explained her understanding of the concerns from the Public Defender's Office. A discussion ensued regarding the requirement for licensure generally. DW noted that the Board could issue a standing order for the board administrator to issue temporary licenses if possible. DW drafted a standing order. JH noted that there could be FAQ on the Board's website, to include temporary licenses. Board discussed how to process those

individuals who do not meet the criteria for expedited temporary licensure pursuant to a standing order.

The board reviewed SB 684's changes to statute and unanimously passed by roll call vote the following standing order written by DW:

"The board issues this standing order to allow administrative processing of 30 day temporary licenses pursuant to 329-B:20, I, providing the conditions documented by the applicant satisfy the criteria of the statute."

D. FYI – ASPPB Notice to all Member Boards. Information Only.

E. Manchester Psychological Associates RE: Jaykumar Patil. RW noted this should not have come to the Board. This has happened periodically, where items should go to a different Board. LBC to provide to the Board of Medicine.

F. 3 Quarter Exp. Information Only.

Recess at 10:15. Reconvene at 10:20.

G. Jessica Leonard – NHPA (email).

1. Since the last meeting, NHPA reached out to an applicant the board had suggested contact them. and received inquiries regarding licensure that were forwarded to the Board.
2. NHPA Created a telehealth video.
3. JL recommended updating the website to reflect the types of licensing inquiries NHPA should answer. DW moved to update the website as suggested by NHPA, which was seconded by JB. The Board voted unanimously via roll call vote in favor of the motion. JL will provide LBC with the revised statement that should be published on the Board's website.
4. JL provided an update regarding NHPHP the physician health monitoring service that lost its contract with the state. DW noted that NHPHP provides no services to the Board.
5. JL brought forward a question from a member regarding non-psychologists interpreting Psychological test data. A discussion ensued regarding ethical requirements and the lack of a statute on point. DW noted that the statute does not prohibit other professionals from discussing data that they have access to but cannot call their interpretations "Psychological Evaluations." JH cited APA code 9.11 on the security of raw test data that all psychologists need to heed.
6. JL noted the ECP Committee went through the application form itself and has feedback, including inconsistencies and errors. RW asked JL to send the information LBC, who will place it on the FTP site so the Board could consider the issue at its next meeting. DW noted there was a mess regarding applications. DW would like the advisory committee, which needs volunteers, to pick up this issue.

- H. Email Received (Discuss minutes of 12/6/2019 meeting). DW stated she would like to table the issue and consider it next time. Tabled.
- I. Emergency Order #29. Information Only. The discussion clarified that the EO does not remove CEUs from requirements, but only the in-person aspect of CEU requirements, i.e., they may be obtained remotely or in home study, which is consistent with the board's recent standing order for the COVID19 emergency. It also removes requirements for notarized signatures during the emergency.
- J. Emergency Order #48. This was discussed in A above. No further discussion.

III. QUESTIONS

- A. Dr. McDonald. RW noted he is asking about licensure. RW stated Dr. McDonald must follow what is stated in the law and provide the complete application. RW explained concerns regarding the second part of Dr. McDonald's question about interns practicing in another state under someone else's license. RW stated the Board previously took the position that an intern cannot do this. RW proposed possibly promulgating a rule regarding supervision of unlicensed individuals via telepsychology. LBC to respond to Dr. McDonald that he must complete the application and the intern cannot practice here.

Discussion ensued regarding remote supervision and the impact COVID-19 will have on applicants. DW noted the Board previously discussed that interns needed to be in-state and in the presence of a supervisor. Discussion ensued regarding doctoral training programs and the need to the board to anticipate the fallout of the pandemic on next year's applications and the types of difficulties candidates may face in obtaining requisite clinical experience. RW noted that APA is working on this and expects that solutions may be developed at that level that can assist the board process.

- B. Dr. DiChiara. RW noted that Dr. DiChiara's question was about applications.
 - 1. RW noted the Board has not required applicants to list practicum sites before. The answer to the first question is she only has to list internship sites and post-doctoral training.
 - 2. The answer to the second question is that the information goes on both the clinical supervision summary sheet and also the supervisor's verification of internship or other supervision.
 - 3. For #3, Dr. DiChiara is coming from an APA-accredited program, so the answer to that is it is fine to leave out the course work descriptions. DW noted she believed Dr. DiChiara's question on #2 concerned verification of internship. LBC to respond accordingly.

LBC inquired whether the Board members would like the entire Board to weigh in on questions. A discussion ensued. The Board generally discussed simplifying the agenda. LG proposed designating a volunteer for each month to field questions. JH suggested the board

members provide their areas of expertise so LBC can contact the appropriate board members to answer questions. LG moved that professional board members willing to volunteer time to field basic questions that come into the board office let LBC know their areas of expertise by the next meeting so the board can coordinate the use of board members who wish to do this as a resource. JB seconded the motion. List to be shared with the Board. RW to take care of questions this month. The Board voted unanimously via roll call in favor of the motion.

- C. clpuer. RW would ask the applicant to obtain verification from her program and the APA that her internship was approved and to try to submit a copy of her license from MA and additional documents that would support her application. The Board will determine if additional information is required after review. JH stated this was the person who has had a license for a while and this issue often comes up, where documents cannot be located. DW noted this person should provide a cover letter describing her difficulty with documents included. LBC to respond.

IV. OTHER PUBLIC BUSINESS

- A. ASPPB requesting a volunteer from the board to be interviewed in its fearless inventory interview. RW volunteered for this. DW noted there was a need for volunteer; RW to do so.
- B. PSYPACT update. DW stated this should be a standing item on the agenda. PSYPACT states they are taking applications starting July 1.

IV. NON-PUBLIC SESSION.

At 11:10 a.m., pursuant to RSA 91-A:3, and upon motion by DW with a second by JB, the Board voted unanimously via roll call vote to conduct a non-public session because public disclosure may render a proposed action ineffective or adversely affect the reputation of a person other than a Board member.

[Minutes kept separately].

V. PUBLIC SESSION

At 11:33 a.m., upon motion by DW with a second by JH, the Board voted unanimously to re-enter public session.

A discussion ensued regarding the standing order pertaining to approval of temporary licenses. DW moved to issue a standing order to allow the administrative processing of 30-day temporary licenses pursuant to RSA 329:B-20, I, provided the conditions of the applicant satisfy the conditions of the statute. LG seconded the motion. The Board voted unanimously via roll call vote in favor of the motion.

At 11:35 a.m., pursuant to RSA 91-A:3, and upon motion by DW with a second by LG, the Board voted unanimously via roll call vote to conduct a non-public session because public disclosure may render a proposed action ineffective or adversely affect the reputation of a person other than a Board member.

[Minutes kept separately].

At 12:35 p.m., upon motion by DW with a second by LG, the Board voted unanimously via roll call vote to adjourn the non-public session and enter public session. JH absent.

At 12:36 p.m., upon motion by LG with a second by JB, the Board unanimously via roll call vote to withhold and seal the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A: 3 III, because divulgence of the information likely would affect adversely the reputation of a person other than a Board member or render the proposed action ineffective. JH absent.

At 12:37 p.m., upon motion by JB with a second by TW, the Board voted unanimously via roll call vote to adjourn the meeting. JH absent.

Next meeting: July 10, 2020, 9:00 a.m.