



**Examining Board of Psychology  
Meeting Minutes**

**November 20, 2015**

**Location:**

Department of Health  
111 Israel Road S.E.  
Town Center 2, Room 158  
Tumwater, WA 98501

**Board members present:**

Timothy Cahn, Ph.D., Chair  
Janet Look, Ed.D. – Vice Chair  
Leslie Cohn, Ph.D.  
Rachaud Smith, Psy.D.  
Brendon Scholtz, Ph.D.  
Shari Roberts, Public Member  
Ruby Takushi, Ph.D.

**Board members absent:**

Elizabeth Kunchandy, Ph.D.

**Staff members present:**

Kim-Boi Shadduck, Program Manager, Office of Health Professions and Facilities, (OHPF)  
Sonia Ferguson, Program Support, OHPF  
Nancy Tyson, Executive Director, OHPF  
Brad Burnham, Program Manager, OHPF  
Marlee O'Neill, Legal Services  
Joanne Miller, Credentialing Manager

**AAG present:**

Jack Bucknell, Assistant Attorney General

**Others present:**

Lucy Homans, Washington State Psychological Association

On November 20, 2015, the Examining Board of Psychology (board) met at the Department of Health, 111 Israel Road S.E., Town Center 2, Room 158, Tumwater, WA 98501. Notice of the meeting was published on the psychology profession [website](#). Notice was sent to the psychology Listserv.

**Open session – 9 a.m.**

**1. Call to order – Timothy Cahn, Ph.D., Chair**

Dr. Cahn called the meeting to order at 9:08 a.m.

**1.1 Approval of agenda**

The agenda was approved and accepted as written.

**1.2 Approval of the July 24, 2015 meeting minutes**

Board members reviewed and approved the July 24, 2015 meeting minutes as presented.

**1.3 Approval of the September 25, 2015 meeting minutes**

Board members reviewed and approved the September 25, 2015 meeting minutes as presented.

**2. FBI Criminal Background Checks/RapsBack Bill – Catherine Woodward, Associate Director of Discipline, Nursing Care Quality Assurance Commission**

Ms. Catherine Woodard discussed criminal background check legislation favored by NCQAC. The proposed bill would require any nurse to undergo a one-time fingerprint-based background check when applying for licensure and would notify the Washington State Patrol of criminal activity. NCQAC is asking for the board support. As the proposed legislation is currently written, the EBOP would have to adopt a rule to opt into this system if it becomes law.

**3. Introduction to Compliance Team – Dianna Staley, Compliance Manager**

Ms. Dianna Staley said that Mr. Justin Dotson is the board's compliance officer, and discussed the overall composition and workload for the compliance officers. Ms. Staley said that psychology has had 15 active cases and only four in the past year.

**4. Public Comment – Timothy Cahn, Ph.D., Chair**

Dr. Lucy Homans talked about a case of interest, *Volk v. Demeerleer*, pending before the State Supreme Court, which addresses, among other things, the applicability of RCW 71.05.120(2) (immunity from liability-duty to warn) in an outpatient setting. The Court of Appeals ruled that RCW 71.05.120(2) did not apply, and instead applied a different test developed in a case called *Petersen v. State*, which provides ambiguous guidance.

Dr. Homan said the association is keeping a close eye on the *Volk case*, and believes that it is a case of interest for many health care professionals. If anyone is interested please email her. Dr. Homan said she would keep the board updated about the case.

**5. Scheduling EBOP meeting dates for 2016 – Timothy Cahn, Ph.D., Chair**

The board approved the following meeting dates for 2016:

- January 29, 2016 in Tumwater
- March 25, 2016 in Kent
- May 20, 2016 in Tumwater

- July 22, 2016 in Tumwater
- September 23, 2016 in Kent
- November 18, 2016 in Tumwater

## 6. Sub-Committee Work

**Licensee Orientation Sub-Committee** - Timothy Cahn, Ph.D., Elizabeth Kunchandy, Ph.D., and Shari Roberts, Public Member

Ms. Shadduck and Ms. Elizabeth Kunchandy attended the ASPPB conference in Arizona. Ms. Shadduck said the first day and a half dealt with elections. She said the second day was about the PLUS application, which the department is working on. Ms. Shadduck said she learned a lot and recommends that members who have not attended to attend.

Dr. Cahn and Mr. Bucknell attended the FARB conference in Denver. Mr. Bucknell thinks that all board members could benefit from attending the regulatory conference because it provides a solid regulatory overview and would provide the board members a chance to network with other board members from various jurisdictions.

Dr. Cahn said that evaluations needed to be sent out to the participants at the Ethics Training.

### **Examination Sub-Committee**

Dr. Brendon Scholtz talked about the ASPPB competency assessment. He said that the EPPP may add an additional competency component. The additional component would replace or supplement state examinations.

Dr. Cahn suggested adding discussion about proposed changes to the EPPP to a future agenda.

### **Telehealth Sub-Committee**

Rachaud Smith, Psy.D., and Janet Look, Ed.D.

Dr. Smith said they are looking to add clarification.

Dr. Look would like to see a parallel draft policy with the board's name on it and the board asked Jack Bucknell to prepare a draft policy for sub-committee review.

### **Application Review Sub-Committee**

Brendon Scholtz, Ph.D., Ruby Takushi, Ph.D., Leslie Cohn, Ph.D. and Rachaud Smith, Psy.D.

The board determined that the following states are equivalent: vote 6-0

- Michigan
- New Mexico

The board determined the following state is substantially equivalent only with Health Service Provider (HSP) designation:

- Oklahoma

The board determined that the following state is not substantially equivalent; however, applicants may meet the qualifications for licensure if they show completion of 3,300 hours of supervised experience. [Applicants must submit the application by endorsement \(PDF\)](#) as well as sections 5 and 7 of the application by examination and the necessary professional reference forms needed to verify the internship. Vote 6 - 0

- Alabama

The board tabled the following province until Ms. Shadduck gets information on hour amount, internship and training requirements.

- Saskatchewan, Canada

### **Communications Sub-Committee**

Shari Roberts, Public Member and Kim-Boi Shadduck, Program Manager

The winter newsletter was presented.

### **Rules Scan Sub-Committee**

Elizabeth Kunchandy, Ph.D. and Kim-Boi Shadduck, Program Manager

Dr. Cahn and Ms. Shadduck will complete the rules scan.

**7. Sub-committee reports – Timothy Cahn, Ph.D., Chair** – The sub-committee reports were reported as item seven.

**8. Consent Agenda – Timothy Cahn, Ph.D., Chair**

The items listed under the consent agenda (informational items) are considered routine matters and were approved without discussion upon approval of the agenda.

**9. Management Reports**

**9.1 Office of Customer Service-Credentialing update** – Dr. Rachaud Smith asked Ms. Joanne Miller how her office currently handled fingerprints. Ms. Miller reported that once fingerprints are verified they are securely shredded.

Ms. Miller shared the following statistics for psychologist licenses:

- Active – 2,621
- Closed – 108
- Expired – 1,361
- Denied – 4
- Military – 30
- Pending – 194

- Retired – 154
- Revoked – 13
- Summary Suspension – 1
- Surrender – 1
- Suspended – 10
- Terminated – 26
- Voluntary Surrender – 5

Ms. Miller said psychologist licenses are at 99 percent of being issued within the 14 day time period, with an average of five days.

Ms. Miller shared the following statistics for psychologist temporary permits:

- Active – 20
- Closed – 20
- Expired – 147
- Denied – 2
- Pending – 9
- Revoked – 4
- Superseded – 12
- Terminated – 2

Ms. Miller said that temporary permits were at 100 percent of being issued within the 14-day time period, an average of four days.

There was a question of being able to print out applications that board members review. They are able to view through Citrix, but wondered if they could be mailed also. Mr. Jack Bucknell said that is a management decision, but discussed why Citrix is preferred. Some members are not able to access Citrix and have been told by the Information Technology (IT) Department that they cannot help members with their personal computers. Mr. Bucknell and Ms. Nancy Tyson said they would follow up on technological support for board members. Ms. Tyson apologized for any inconvenience caused by problems with Citrix.

- 9.2 Operating budget report** – Ms. Shadduck went over the operating report. The current balance is \$1,453,692.00 as of the end of October.
- 9.3 Sexual misconduct rules update** - Ms. Shadduck said that the rules are in the system for review. There are no major changes. She said she is looking to have a hearing in January 2016, and she will keep members updated.
- 9.4 Allowable coursework rules update** – Ms. Shadduck said there was one change that had been submitted by Mr. Bucknell. The board approved the change.
- 9.5 Recruitment update** – Ms. Shadduck said one person had been interviewed for the public vacancy and there would be a second person interviewed on December 2, 2015. After the second interview, the department would make its recommendations to the Governor’s Office.

Ms. Shari Roberts reported there would be another vacancy soon and said members should share with people who may be interested.

**10. Request for List and Labels – Timothy Cahn, Ph.D., Chair**

The board members reviewed and approved list and labels request for Veterans Administration, Oregon Mental Health CEU Consortium and Washington Counseling Association. The board denied Cambia Health Solutions (Regence BlueShield and Asuris Northwest Health).

**11. Requests for board -**

- First request - board members reviewed and approved a request for applicant to retake the jurisprudence (JP) exam.
- Second request - continuing education (CE) waiver. An applicant requested to work as active retired and have no CEs and no supervision consultant. At this time the board is asking applicant to reapply. The applicant needs to submit the scope of work and limitations of practice. Applicants who wish to remain on retired can practice only 90 days a year. Vote 5-1 (opposed)
- Third request - applicant asking to have an unlimited waiver of CEs because of being retired. Approved Vote 6-0
- Fourth request - retired applicant asking to have CEs waived. Approved. Vote 6-0
- Fifth request - due to physical illness, applicant not active and has surrendered license. Applicant asking for indefinite waiver. Approved. Vote 6-0

**12. Future Agenda Items – Timothy Cahn, Ph.D., Chair**

- Presentation/Information on commissions
- EBAP – more information on competency based assessment to be presented at the meeting in January
- Mr. Bucknell to discuss state law, federal and tribal law
- Election of new chair and vice chair
- Question on applications

**13. Adjournment**

**2:00 p.m.**

Submitted by:

Approved by:

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Kim-Boi Shaddock, MBA, Program Manager  
Examining Board of Psychology

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Timothy Cahn, Ph.D., Chair  
Examining Board of Psychology