Meeting Minutes

November 16, 2018
Department of Health
20425 72nd Ave.
Building 2, Room 307
Kent, WA 98032

Board members present: Shari Roberts, Public Member, Chair
Florence Katz Burstein, Public Member
Janet Look, Ed.D.
Lezlie Pickett, Ph.D.
Brendon Scholtz, Ph.D.
Ruby Takushi, Ph.D.

Board members absent: Leslie Cohn, Ph.D.
Michelle Girosi, Ph.D.
Rachael Smith, Psy.D., Vice Chair – calling in when able

Staff members present: Stacey Saunders, Program Director
Sara Kirschenman, Staff Attorney

AAG Representation: Chris Gerard, Assistant Attorney General
Blake Maresh, Deputy Director – attending part-time

Contact: Stacey Saunders, Program Director
360-236-2813
Stacey.saunders@doh.wa.gov

On November 16, 2018, the Examining Board of Psychology met at the Department of Health, 20425 72nd Ave., Building 2 - Room 307, Kent, WA 98032. Notice of the meeting was published on the psychology profession website and was sent out through the psychology GovDelivery.
Open Session

1. Call to Order – Shari Roberts, Chair
   1.1 Approval of agenda.
       • Motion made and passed to revise agenda moving election of Chair/Vice Chair to January.
   1.2 Approved the September 14, 2018 meeting minutes.
   1.3 Board members introduced themselves and areas of practice.

2. New WSPA President, Dr. Dominika Breedlove – Shari Roberts, Chair
   Current WSPA President, Dr. Venkatraman, and Dr. Homans updated the Board on WSPA changes, including WSPA President Elect, Dr. Dominika Breedlove.
   Dr. Homans introduced Dr. V.; explained Dr. B is president but was unable to attend.

3. Presentation on Forensic Psychology – Dr. Lezlie Pickett and Dr. Brendon Scholtz
   • PowerPoint by Dr. Scholtz. Handout “Differences between Treatment and Forensic Roles for Mental Health Professionals”
   • Forensic psychologists are hired by an attorney, ordered by Court/state agency, etc., to be a neutral, third party evaluator of the subject (cited Jodi Arias case as example of a forensic psychologist whose report was thrown out for deviating from neutral evaluator to more of an advocate/therapeutic relationship).
   • Therapeutic experts tend to be empathetic, helpful, and collaborative; while Forensic experts tend to be detached, neutral, and evaluative.
   • Therapeutic relationship with treatment psychologist is based on clients self-report. Forensic evaluation focuses on legal claim and psycho-legal questions, not treating patient.
   • Forensic evaluations involve assessments, etc., that are not standard for therapeutic treatment; evaluations can be adversarial, whereas clinical psychologists have a therapeutic treatment relationship.
   • There are irreconcilable differences between therapeutics and forensics. Over 80% of the time, forensic psychologists make a decision in favor of the hiring party.
   • Per Steve Feldman, never sit in your office without knowing three things about your client: 1) Who is the client? 2) What is the goal of the contact? 3) What is your role?
   • To be a Forensic psychologist you need to be thick skinned, communicable, and realize you will be a hero sometimes and the reverse other times. By the end of your career if you don’t have several complaints against you or haven’t been tried to be sued, you didn’t do your job.
   • Summation idea: new board members should be sat down over coffee and talked to for ½ hour about getting the right mindset. They should be told to look over WAC 9.24 (Psych), then the evaluation requirements for Sex offenders, Parenting, Domestic Violence, and the Forensic Specialty Guide.
4. Public Comment – Shari Roberts, Chair
   - No action needed, just awareness of.
   - There is an ongoing conversation (not in 2020) with the Applied Behavior Analysts Advisory Committee—specific issue: ability of psychologists to train “baseline ABA technicians”.
   - Most sitting on the committee are not CBA and licensed social worker; licensed psychologist should be able to get a second or special credential or degree.
   - This is getting close to a “restraint of trade” for those that are not members.
   - Add to January agenda and have James address the issue.

5. Suicide Training CE Requirement—Sara Kirschenman
   - Supervising staff attorney Sara Kirschenman handed out RCW and WAC requirements for Psychologists.
   - Note: be cognizant that the two differ in requirement dates - suicide training is due every six years, audits are done every three.

6. Assistant Attorney General Update
   - AAG Chris Gerard provided an overview of compliance with orders and supplied a handout - PBI Education.
   - Compliance checks are done by DOH staff if there is specific wording in an order stipulating what verification will be done.
   - DOH does have inherent authority to do compliance checks. Best case scenario: order has wording specific to how compliance with be monitored/verified.

1) Appearance of fairness
   a) Board members are decision makers in discipline, also acting as investigators, this brings into question the fairness of the process.
   b) For appearance of fairness, prosecutorial and investigatory sides are separate.

2) How involved members are in discipline
   a) Board member is now a material witness in further Board action.
   b) Direct examination by AAG and possibly cross-examination by respondent’s attorney.
   c) One less Board member eligible to be on hearing panel (when it’s already difficult to get a full panel).

- Shari asked if there’s any legal way for DOH or EBOP to verify for egregious cases when licensure is revoked or suspended and there is verification they are no longer practicing.
  - Further exploration by legal beagles is needed, along with a discussion when full Board is present.

- AAG Gerard stated that board members are at significant legal risk if they get involved in investigation/compliance; if sued, the member must be engaged in a Board approved action to qualify for AGO representation.
• Per Kelly Elder, she talked to many AAG’s, and was told that in order to audit a person, it must be specified as such in the original order.
  o Continue discussion with legal beagles, James, full board, and possibly compliance

7. ASPPB Annual Conference—Dr. Pickett, Dr. Scholtz, and Stacey Saunders
• For the first time in the history of the conference, the first day the presenters organized the seating of attendees by state; the second day, seating was by choice.
• EPPP2 has been approved and will roll out in 2020. States have the option of using the EPPP alone or make both the EPPP1 and EPPP2 mandatory for licensure. People who choose to enroll in the initial period will receive a reduced rate, but there are still questions surrounding this.
• PowerPoint shown is available on their website.
• Changing the budget allocation was discussed regarding the upcoming ASPPB conferences: include 4 board members and 1 staff member for travel and conference due to new national license requirements and contracting.

Upcoming conferences:

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<thead>
<tr>
<th>Year</th>
<th>Location</th>
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<tbody>
<tr>
<td>2019</td>
<td>Mid-year – Santa Fe</td>
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<tr>
<td></td>
<td>Annual – Minneapolis</td>
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<tr>
<td>2020</td>
<td>Mid-year – Montreal</td>
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<td>Annual – New York City</td>
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8. ASPPB Contract Renewal—Shari Roberts, Chair
This is a one year contract. If nothing is done, it will continue for three years. Would like to renew for 2019. Voted in favor by board.

9. Temporary Permit Requests—Stacey Saunders
Due to bomb threat and evacuation, previous meeting regarding the subject was cancelled, so it was added to this agenda. Applicants prior to 2017 do not have contact board members.

10. 2019 Ethics Training—Stacey Saunders
Room reserved in Kent for May 16, 2019 and September 26, 2019. May 16th was chosen by the board as the date for training, but time still needs to be decided on. Rooms reserved for 8 a.m.-noon and 12:30 p.m.-5:30 p.m.

11. Management Reports - Joanne Miller, Credentialing Supervisor; James Chaney, Executive Director; and Stacey Saunders, Program Director
10.2 Operating budget report.
10.3 Program update.

12. Request for List and Labels – Shari Roberts, Chair
Spokane Falls Community College – approved.

13. Requests for board continuing education waivers – Shari Roberts, Chair
Continuing Education waiver contained affidavit and was notarized – approved.
14. **Future Agenda Items- Shari Roberts, Chair**
   - Industrial/organizational psychologists.
   - Election of Chair and Vice Chair.
   - Continuing education.
   - Supervising and training ABA techs by psychologists (w/James input).
   - WPHP switch from WRAMP, or having WRAMP provide psych services.
   - Options to verify suspended/revoked licensees are not continuing to practice.
   - PBI course offerings (March).
   - Increase board to 11 members (leg change, possibly become commission for increase in pay, etc.)—build the business case, looking at 2020 or later for legislation, work with other professions in same place.
   - Operating Agreement/Bylaws.
   - Status of James’ letter to substantially equivalent states on licensure changes.
   - Choose time for Ethics Training on May 16th.

15. **Follow Up on Remaining Prior Meeting Topics**
    Added to #14 above.

16. **Meeting adjourned**

Submitted by: 

Stacey Saunders, Program Director
Examining Board of Psychology

Approved by: 

[Signature]
Shari Roberts, Chair, Public Member
Examining Board of Psychology

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**Next Scheduled Meeting**
**Date:** January 25, 2019
**Time:** 9 a.m.
**Location:** Department of Health
Point Plaza East, Room 153
310 Israel Road SE
Tumwater, WA 98501