Meeting Minutes

March 8, 2019
Department of Health - 20425 72nd Ave. - Building 2, Room 307
Kent, WA 98032

Board members present:  Rachaud Smith, Psy.D., Chair
Florence Katz Burstein, Public Member, Vice Chair
Shari Roberts, Public Member
Janet Look, Ed.D.
Leslie Cohn, Ph.D.
Michelle Giresi, Ph.D.
Ruby Takushi, Ph.D.

Board members absent:  Lezlie Pickett, Ph.D.
Brendon Scholtz, Ph.D.

Staff members present:  James Chaney, Executive Director
Stacey Saunders, Program Manager
Sara Kirschman, Staff Attorney
Jeff Wise, Policy Analyst
Joyce Miller, Credentialing Supervisor
Karen Diehm, Program Support

AAG Representation:  Joyce Roper, Assistant Attorney General

Contact:  Stacey Saunders, Program Director
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On March 8, 2019, 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 – Rachaud Smith, Psy.D., Chair
   1.1 Approval of agenda.
      1.1.1 Moved to flex agenda, while waiting on AAG
      1.1.2 Move agenda item #3, Public Comment, to #2.
      1.1.3 Move agenda item #8, Interrater Reliability, to next meeting.
      1.1.4 Move agenda item #4, Ethics Training, to subcommittee.
   1.2 Agenda approved by all as amended above
   1.3 Approval of the January 25, 2019 meeting minutes.
      1.3.1 When referencing the “Department of Health”, the full title and acronym
           will be used the first time. Ex: “Department of Health (DOH)”. Following
           references will be the acronym only.
      1.3.2 Language in Item #14, changed to state the Verification Letter will be sent
           to Florence Katz Burstein for approval, prior to being sent out on behalf of
           the board.
      1.3.3 All approved, one abstain (6-0, 1 abstain).
      1.3.4 Re-opened: removing “not” from #8 referring to pro-tems and hearings;
           motion, seconded, vote 7-0.

2. Statement before Public Comments – Michelle Giresi, Ph.D.
   Michelle Giresi, Ph.D., read a draft proposal of a statement to be read before public
   comments.
   MOTION: Adopt the statement to be read before public comments; seconded; passed 7-0.

3. Public Comment – Rachaud Smith, Psy.D., Chair
   There were no comments from the public.

4. Monitoring of Restricted Licenses - Joyce Roper, Sara Kirschenman
   The board discussed draft order language regarding compliance monitoring, and the hows
   and whys of monitoring restricted licenses. For the May meeting, the board requested Justin
   Dotson, Compliance Officer, attend to explain how he would monitor restricted licensees and
   answer any questions from board members.
   MOTION: Make the draft order language part of the standard template; seconded; VOTE 7-0.

5. PBI Course offerings – Catherine Caldicott, MD, FACP
   PowerPoint Presentation via conference call by Catherine Caldicott, MD, on Professional
   Boundaries Inc. (PBI), course offerings. Her comments during presentation:
   • OB/GYN and family medicine physicians are cited the most for boundary violations.
   • Pediatricians are often disciplined for boundary violations with the patient’s parents,
     not the patients themselves.
   • Comparison of PROBE and several options PBI offers, including optional follow-up
     seminars.
- Courses are held nationwide – including California, Texas, Atlanta, and NYC. In Irving, CA, courses are available almost every month. With the exception of July, all courses are offered every month in at least one city.
- PBI educates participants on the type of issue (problem) for which they were referred, which allows them to figure out what changes to make to avoid a reoccurrence.
- One major difference between PROBE and PBI is PROBE has participants look at all the factors and their choices that got them there (insight), it does not go into the depth PBI courses do. PBI has each person look at what they did, what they were thinking, etc.
- For resistant participants, clinicians teaching the class call out the resistance. Other participants also call them out on it, and they keep going back as the class progresses and the resistant participant learns more.
- Every participant who successfully passes gets a Certificate of Completion. Faculty determines whether or not a participant successfully passes. Faculty works with participants and brings up concerns if there’s a risk of not passing.
- PBI can provide to the board an Accomplishments, Impressions, and Recommendations (AIR) letter on a participant at no cost. PBI does ask for advance notice so faculty can take better notes to include in the letter, especially if the board wants recommendations (if any) for additional courses.
- Physicians and nurses from WA State have done PBI courses (possibly a SOTP?)
- Recidivism: It can be challenging to measure, as providers can move to a different state. About a year ago, PBI looked at California physicians due to the large cohort of referrals, and the fact that the CA medical board is very timely on posting any action taken on one of their licensees. Out of 102 participants, only one reoffended in the same or similar kind of infraction. PBI is now looking back at participants over five years and following them 5-7 years out for any subsequent actions.

James Chaney later noted that EBOP may make referrals to PBI at this time, as the State already holds a contract with that organization.

6. Continuing Education Updates – Stacey Saunders
The board discussed proposed changes to Continuing Education (CE) requirements, switching to a two year audit cycle, and whether ethics should be audited annually or follow the standard three year CE cycle. The board agreed ethics should be audited on the same three-year cycle, not annually.

The board also discussed additional changes to the Washington Administrative Code (WAC), whether to open the full WAC chapter now or proceed with only CE changes at this time, and whether to have the full board involved or a subcommittee.

MOTION: Form a rules subcommittee, seconded, VOTE 7-0
Rules subcommittee members: Shari Roberts, Michelle Giresi, Ph.D., Rachaud Smith, Psy.D., Stacey Saunders, and James Chaney as needed. Per James, all information and questions related to rules goes to him. He will then distribute to subcommittee members.
7. Continuing Education Audits—Stacey Saunders
The board discussed CE audits, what CE classes meet the CE requirements, and how to better prepare audit files for the board.
- The board emphasized all CE classes must meet the requirement in WAC 246-924-240(1): "All continuing education (CE) activities must be directly relevant to maintaining or increasing professional or scientific competence in psychology."
- The board discussed whether 246-24-240(4) should remain with the current exclusive wording or add "including but not limited to" to be more inclusive of additional types of CE courses. AAG Joyce Roper cautioned it depended on whether the board intended to limit acceptable CE courses to what is named in the WAC.
- Not all classes submitted for CE audits are CE classes. For example, classes related to the business side of a practice will not generally count as CE.
- Classes required for all government employees that are not specific to practicing psychology will not be accepted.
- Yoga/meditation retreats must have documentation showing what the participant is learning and how it applies in their practice (i.e. teaching clients meditation or mindfulness, etc.).
- Other acceptable sponsors/approvals: American Medical Association, other mental health professions (LMFTs, LMHCs, LISWs, etc.).
- For suicide intervention classes taken after June 30, 2017, the audit form will note whether the class is on the model list.

8. Consistency in Reviewing non-APA Programs—Rachaud Smith, Psy.D., Chair
The board discussed consistency in reviewing applicants from non-APA programs, as there are approximately 60 such applicants a year. Having a master list of approved/acceptable courses, and a list of not approved/not acceptable courses was addressed. Stacey stated she would create a list of previously approved courses. The list will include: class title, school, professor, and year taken.

9. Renewal Notice Update – Stacey Saunders
The board reviewed a proposed change to the annual license renewal notice, which adds a reminder of the suicide prevention education requirement. The board requested the sentence from WAC 246-924-230(b) on the suicide intervention CE requirement be added to the renewal notice template.

10. Operating Agreements and Bylaws – AAG Joyce Roper
AAG Joyce Roper presented a matrix outlining the basic features of multiple Joint Operating Agreements (JOA) with DOH - Veterinary Board of Governors, Dental Quality Assurance Commission, Pharmacy Quality Assurance Commission, and the Examining Board of
Psychologists. She then discussed the differences and similarities. In her research, she found the JOA’s are fairly consistent.

Joyce explained two points that should be changed: 1) Section 4, Budget Development, regarding monthly reports, 2) Reference to RCW 43.70.250 and .280 be added to EBOP JOA.

Motion: Modify the JOA per Joyce’s above two points; seconded; VOTE 7-0

11. Assistant Attorney General update — AAG Joyce Roper
No updates at this time.

12. WSPA letter — James Chaney
The board discussed the Washington State Psychological Association (WSPA) letter regarding supervising Licensed Behavioral Analysts and Certified Behavior Technicians. James pointed out that the rule is actually word for word what is in the statute, and the board cannot change the statute. DOH wants to work with the WSPA to come to agreement. The Assistant Secretary is reviewing a response to the WSPA letter. Once approved, James will share the signed letter with the board.

13. Discretionary Spending - Stacey Saunders
- The board reviewed and discussed their discretionary spending request for the 2019-2021 biennium.
- If expenditures are not included in the discretionary spending budget, it is highly unlikely the board will later be able to spend additional funds on additional activities.
- An expenditure was included for the CAC Conference, in case someone wanted to attend although the board has not sent someone since 2016.
- The Ethics training referred to two trainings, even though it is every other year, with alternating locations. Two locations need budgeting, even if the location is to change.
- The justification for four members attending conferences instead of one is to keep board members up to date on changes in and trends impacting the practice of psychology.
- Add one additional overnight stay under hearing panels.
- Stacey will also add a rules retreat and check into special meetings.

14. Travel reimbursement presentation—Stacey Saunders
Stacey presented a PowerPoint on travel and reimbursement for board members, along with a handout of 2019 reimbursement request deadlines. Key points include:
- All receipts for travel need to be submitted — including, hotel, parking, baggage, taxes.
- The hotel bill must show a “0” balance receipt, meaning that the attendee has already paid the bill.
- Air travel and rental vehicle reservations must be through state contracted agency.
- Receipts need to be turned in by the 5th of each month.
- If receipts are received after 90 days, there will be NO reimbursement.
15. WPHP, WRAMP, and psychological services — James Chaney  
James stated he will have more information later, and will defer until the end of the legislative session, which should conclude in May.

16. Management Reports - Joanne Miller, Credentialing Supervisor; Jeff Orwig, Budget Analyst; James Chaney, Executive Director; and Stacey Saunders, Program Director  
   • Joanne Miller presented. There was a decrease in processing time, due to an increased level of staffing, they are training new people, and going to hire another lead. Additionally, there was a realignment in the department, and now all parts of the application process, from start to finish, are in her unit. This will also save time.

16.2 Operating budget report.
   • Speaker not present. James stated there is a $1.5 million balance, and there was nothing of concern noted when reviewing with Jeff Orwig.

16.3 Program update.
   • Vice Chair Florence Katz Burstein relayed that board member Lezlie Pickett, Ph.D., was unable to attend today, nor would she be attending ASPPB Mid-Year Meeting. Her position at the conference will not have a replacement as no other board member is able to attend on short notice.
   • James Chaney brought up electronically sending the agenda and all available meeting documents instead of mailing hard copies, which the board agreed to. MOTION: seconded, VOTE 7-0.

17. Sub-Committee Work – Rachaud Smith, Psy.D., Chair

   Ethics Sub-Committee
   Florence Katz Burstein, Public Member, Vice Chair, Leslie Cohn, Ph.D., Lezlie Pickett, Ph.D., Stacey Saunders, Sara Kirschenman. Shari Roberts, Public Member also joined the subcommittee.
   MOTION: Hold ethics training at Hilton in Seatac; seconded; vote 7-0

   Application Review Sub-Committee
   Nothing at this time.

   Continuing Education Sub-Committee
   Nothing at this time.

   Communication Sub-Committee
   Nothing at this time.

18. Sub-Committee Reports – Rachaud Smith, Psy.D., Chair
   Nothing at this time.

19. Request for List and Labels – Rachaud Smith, Psy.D., Chair
   Item #21. Motioned, seconded, and approved 7-0.
20. Requests for board continuing education waivers – Rachaud Smith, Psy.D., Chair  
   Item #22. Motioned, seconded, and approved 7-0.

21. Future Agenda Items- Rachaud Smith, Psy.D., Chair
   • Discussion with compliance officer & investigations on verifying compliance with orders imposed on psychologists subject to discipline (Paul and Justin)—May 2019
   • Inter-rater Reliability and Consistency for non-APA internship/supervised hours – Stacey
   • Administrative rules review
   • Rotate chairs of hearing panels—Janet Look, Ed.D.
   • Template with approved non-APA classes—Stacey Saunders
   • ASPPB Mid-Year Meeting Update—Michelle Giresi, Ph.D. & Stacey Saunders
   • Debrief of Ethics Training
   • Legislative session update
   • WPHH, WRAMP, and psychological services — James Chaney
   • Joint Operating Agreement update—AAG Joyce Roper
   • FAQs—James Chaney, July or later
   • Update from the OILS Director/Assistant Director

22. Follow Up on Remaining Prior Meeting Topics

23. Meeting Adjourned 3:09 P.M.

Stacey Saunders, Program Manager  
Examining Board of Psychology

Rachaud Smith, Psy.D., Chair  
Examining Board of Psychology

Next Scheduled Meeting
Date:  May 17, 2019
Time:  9 a.m.
Location: Department of Health  
310 Israel Rd SE - PPE, Room 152  
Tumwater, WA 98501