

The Florida  
**Board of Psychology**

# Draft Minutes

**OCTOBER 27, 2017**

**BOARD OF PSYCHOLOGY  
GENERAL BUSINESS MEETING**

**DIAL-IN NUMBER: 1-888-670-3525  
PUBLIC CONFERENCE CODE: 7811783909**



**Dr. J. Drake Miller**  
Chair

**Dr. Andrew Rubin**  
Vice Chair

**DEPARTMENT OF HEALTH  
BOARD OF PSYCHOLOGY  
GENERAL BUSINESS MEETING  
OCTOBER 27, 2017  
MINUTES  
(Draft)**

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To accommodate individuals wishing to address the board, the board Chair may adjust the sequence of the agenda items. The minutes reflect the actual sequence of events rather than the original agenda order.

**Call to order - General Business Meeting**

**GENERAL BUSINESS MEETING**

**Dr. J. Drake Miller, Chair, called the general business meeting to order at approximately 8:00 a.m. Those present for all or part of the meeting, included the following:**

**MEMBERS PRESENT**

Dr. J. Drake Miller, Psy.D, Chair  
Andrew Rubin, Ph.D, Vice Chair  
Dr. Dean Aufderheide, PhD  
Dr. Randi Mackintosh, Psy.D  
Dr. Catherine Drew, Ph.D  
Mary D. O'Brien, J.D

**STAFF PRESENT**

Allen Hall, Executive Director  
Anna L. Hart King, Program Operations Administrator

**ASSISTANT ATTORNEY GENERAL**

Diane Guillemette, Esq.

**ASSISTANT GENERAL COUNSEL**

Carrie McNamara, Esq.

**PRESENTATION**

1. Morgan T. Sammons, Ph.D., ABPP, Executive Officer, National Register of Health Service Psychologists

During the July 2017 Board Meeting, Dr. Dean Aufderheide requested the National Register of Health Service Psychologists (National Register) be invited to present an overview of its programs to the Board. \*

Enclosed for the Board's review was the National Register's proposal for mobility under Section 490.006, Florida Statutes, as well as additional information regarding the history of the organization and its credentialing criteria and guidelines.

*\*The Board also requested the Association of State & Provincial Psychology Boards (ASPPB) be invited to make a similar presentation. The ASPPB has agreed to present during the January 2018 Board Meeting.*

Dr. Morgan T. Sammons and Dr. Andrew Boucher with the National Register presented the mobility program to the Board.

Dr. J. Drake Miller moved to move forward with making a legislative change to include the mobility program as an option for licensure. Dr. Dean Aufderheide seconded the motion, which carried 6/0.

*At this point in the meeting, Tabs 3 and 4 were taken out of order.*

## **ADMINISTRATIVE PROCEEDINGS**

### **REVIEW OF PSYCHOLOGIST LICENSURE APPLICATIONS**

3. Sarah Getz Bifurcation/Exam-Final Board Action

Dr. Getz was present. She was not represented by counsel.

Dr. Getz was before the July 21, 2017 General Business meeting for review of her application. She applied for licensure under the Bifurcation/Exam method; however, her doctoral psychology program completed at Princeton University in 2013 did not hold programmatic accreditation by the American Psychological Association (APA). Although Dr. Getz went on to complete studies at Suffolk University, the transcript indicates it was a re-specialization program. The Board approved her application contingent upon receipt of a letter from APA indicating that the Suffolk University re-specialization program is equivalent to an accreditation of an APA program that is not a re-specialization program.

Enclosed for the Board's review were the responses from APA, a letter from Suffolk University and items previously reviewed by the Board.

Following discussion, Dr. J. Drake Miller moved to deny the application based on Dr. Getz not being able to provide documentation that her re-specialization program was APA accredited. Dr. Dean Aufderheide seconded the motion, which carried 6/0.

Following discussion, Dr. J. Drake Miller moved to allow Dr. Getz to withdraw her application within ten (10) days. Dr. Dean Aufderheide seconded the motion, which carried 6/0.

4. Ervin Batchelor, Jr. Endorsement of ABPP Diplomate Status

Dr. Batchelor was present. He was not represented by counsel.

Dr. Batchelor has applied for licensure under the Endorsement of ABPP Diplomate License method. He has answered "yes" to question #24 of the application indicating that he has had his license revoked, suspended or in any way acted against in any state, US territory or foreign country. He has also, answered "yes" to question D. page 6 of the application indicating that he has been treated for or had recurrence of a diagnosed physical disorder that has impaired his ability to practice psychology.

Enclosed for the Board's review was the application, ABPP verification, medical history clarification letter and North Carolina discipline documents.

Following discussion, Dr. Randi Mackintosh moved to approve the application. Ms. Mary O'Brien seconded the motion, which carried 6/0.

## **PROSECUTOR'S REPORT**

### 2. Carrie McNamara, Esq.

Total cases open/active in PSU: 20  
Cases under legal review: 8  
Cases in Emergency Action Unit (EAU): 1  
Cases where probable cause recommendation made: 5  
Cases where probable cause found/waived: 1  
Cases in holding status: 0  
Cases awaiting supplemental investigation: 1  
Cases undergoing expert review: 4  
Cases pending before DOAH: 0  
Cases on agenda for current/future board meeting: 0  
Cases older than one year: 6  
2014: 1  
2015: 1\*  
2016: 4  
Change in total 1yr+ since last report: +2 cases

Following discussion, Dr. J. Drake Miller moved to continue prosecution of cases 1 year or older. Ms. Mary O'Brien seconded the motion, which carried 6/0.

## **LICENSURE RATIFICATION LISTS**

### 5. List of Licensed Psychologists

Dr. J. Drake Miller indicated that Dr. Candace Cardin is a colleague; however, that will not cause bias.

Following discussion, Dr. J. Drake Miller moved to approve the list of psychologists for licensure as noted. Dr. Andrew Rubin seconded the motion, which carried 6/0.

### 6. List of Licensed Provisional Psychologists

Following discussion, Dr. J. Drake Miller moved to approve the list of provisional psychologists for licensure as noted. Dr. Andrew Rubin seconded the motion, which carried 6/0.

### 7. List of Licensed Limited Psychologists

Following discussion, Dr. J. Drake Miller moved to approve the list of limited psychologists for licensure as noted. Dr. Andrew Rubin seconded the motion, which carried 6/0.

## **CONTINUING EDUCATION RATIFICATION LIST**

### 8. List of Applicants

Following discussion, Dr. Catherine Drew moved to approve the list of applicants of continuing education providers and Medical Errors courses as noted. Ms. Mary O'Brien seconded the motion, which carried 6/0.

**APPLICANT REQUESTS FOR EXTENSION PURSUANT TO §490.005(3)(b), F.S.**

9. John Arnold

Dr. Arnold was not present, nor represented by counsel.

Dr. Arnold requested an extension of time allowed to complete the requirements for licensure.

Following discussion, Dr. J. Drake Miller moved to grant an extension for an additional twelve (12) months. Dr. Andrew Rubin seconded the motion, which carried 6/0.

10. Sophia Demorizi

Dr. Demorizi was not present, nor represented by counsel.

Dr. Demorizi requested an extension of time allowed to complete the requirements for licensure.

Following discussion, Dr. J. Drake Miller moved to grant an extension for an additional twelve (12) months from today's date. Dr. Catherine Drew seconded the motion, which carried 6/0.

11. Martha Mason

Dr. Mason was not present, nor represented by counsel.

Dr. Mason requested an extension of time allowed to complete the requirements for licensure.

Following discussion, Dr. J. Drake Miller moved to grant an extension for an additional twelve (12) months. Dr. Andrew Rubin seconded the motion, which carried 6/0.

*At this point in the meeting, Tabs 27 and 28 were taken out of order.*

**ADDENDUM**

**APPLICANT REQUESTS FOR EXTENSION PURSUANT TO §490.005(3)(b), F.S.**

27. Briana Biton

Dr. Biton was not present, nor represented by counsel.

Dr. Biton requested an extension of time allowed to complete the requirements for licensure.

Following discussion, Dr. J. Drake Miller moved to grant an extension for an additional twelve (12) months. Ms. Mary O'Brien seconded the motion, which carried 6/0.

28. Lazara Gascon

Dr. Gascon was not present, nor represented by counsel.

Dr. Gascon requested an extension of time allowed to complete the requirements for licensure.

Following discussion, Dr. J. Drake Miller moved to grant an extension for an additional twelve (12) months from today's date. Ms. Mary O'Brien seconded the motion, which carried 6/0.

## **FILE CLOSURE APPLICANTS FOR DENIAL PURSUANT TO §490.005(3)(b), F.S.**

### 12. List of Applicants

Dr. Briana Biton, Dr. Jon Arnold, Dr. Sophia Demorizi and Dr. Martha Mason have all been removed from the File Closure List due to the granting of extensions. Dr. Soralis Camacho Irizarry was removed due to the withdrawal of her application.

Following discussion, Dr. J. Drake Miller moved to approve the list of applicants for File Closure as noted. Dr. Dean Aufderheide seconded the motion, which carried 6/0.

## **PROVISIONAL PSYCHOLOGIST – REQUEST FOR APPROVAL OF NEW SUPERVISOR**

### 13. Saba Adhal

Dr. Adhal was not present, nor represented by counsel.

A provisional license is an option for applicants. A provisional licensee must work under the supervision of a licensed psychologist until the provisional licensee is in receipt of a license or a letter from the department stating that he or she is licensed as a psychologist. A provisional license expires 24 months after the date it is issued and may not be renewed or reissued.

Dr. Adhal informed the Board office on 08/23/2017 that she will no longer be supervised by Diane Vendryes. She has proposed Dr. Mary Jo Breiner as the new supervisor. Dr. Breiner has submitted documentation indicating her agreement to supervise Dr. Adhal.

Following discussion, Dr. J. Drake Miller moved to approve Dr. Mary Jo Breiner as the new provisional supervisor. Dr. Randi Mackintosh seconded the motion, which carried 6/0.

### 14. Miladys Rivera

Dr. Rivera was not present, nor represented by counsel.

A provisional license is an option for applicants. A provisional licensee must work under the supervision of a licensed psychologist until the provisional licensee is in receipt of a license or a letter from the department stating that he or she is licensed as a psychologist. A provisional license expires 24 months after the date it is issued and may not be renewed or reissued.

Dr. Rivera informed the Board office on 08/03/2017 that she will no longer be supervised by Dr. Charles Bell. She has proposed Dr. Yamila Santos as the new supervisor. Dr. Santos has submitted documentation indicating her agreement to supervise Dr. Rivera.

Following discussion, Dr. J. Drake Miller moved approve Dr. Yamila Santos as the new provisional supervisor. Dr. Andrew Rubin seconded the motion, which carried 6/0.

## **RULES REVIEW AND/OR DEVELOPMENT**

### 15. Rule 64B19-11.0035, F.A.C., Licensure by Examination: Proof Satisfactory to the Board for the Purpose of Determining Eligibility for Examination

During the April 2017 meeting, the Board approved the opening of this rule for development to allow for transmittal of electronic doctoral level transcripts from the National Clearinghouse and from the credentials banks of the Association of State and Provincial Psychology Board's (ASPPB's) Mobility Program and the National Register of Health Service Psychologists.

During the July 2017 meeting, the Board reviewed amendments to the entire rule proposed by Ms. Guillemette. Proposed changes to Paragraph (1)(c), providing text for the approved methods of transcript transmittal, was accepted by the Board. The Board requested that additional changes to other portions of the rule be discussed in October.

Provided for the Board's review and approval was the latest draft rule text prepared by Ms. Guillemette.

Following discussion, Dr. Dean Aufderheide moved to develop Rule 64B19-11.0035, F.A.C., to clarify the proof required for examination. Dr. J. Drake Miller seconded the motion, which carried 6/0.

Following discussion, Dr. Dean Aufderheide moved to notice the language in (1)(b) that has been amended to specify the applicant's degree must have been obtained from a program accredited by the American Psychological Association (APA). Dr. J. Drake Miller seconded the motion, which carried 6/0.

Following discussion, Dr. Dean Aufderheide moved that the change in Rule 64B19-11.0035, F.A.C. would not have a negative impact on small businesses and the change in the rule would not have an economic impact on government or any entity in excess of \$200,000 within one year of the repeal of the rule. Dr. Andrew Rubin seconded the motion, which carried 6/0.

Following discussion Dr. Aufderheide moved it also should not be part of the non-compliance rule and should not be designated as a minor violation. Dr. J. Drake Miller seconded the motion, which carried 6/0.

At this point in the meeting, Ms. Diane Guillemette referenced Rule 64B19-11.012, F.A.C., Application Forms that is already in development. Dr. Dean Aufderheide moved that it also should not be part of the non-compliance rule and should not be designated as a minor violation. Dr. J. Drake Miller seconded the motion, which carried 6/0.

#### 16. Rule 64B19-17.002, F.A.C., Disciplinary Guidelines

During the July 2017 meeting, Ms. Guillemette requested the Board review its disciplinary guidelines in light of correspondence received from the Joint Administrative Procedures Committee (JAPC).

After extensive discussion at that meeting, the Board requested copies of the disciplinary guidelines for the Board of Medicine and the 491 Board be provided to all members, prior to the October meeting, to allow for comparison and feedback to Ms. Guillemette in preparing revised language for its consideration.

Provided for the Board's review was the revised language prepared by Ms. Guillemette based on feedback received from members.

Following discussion, Dr. J. Drake Miller moved to approved the rule language as written. Dr. Dean Aufderheide seconded the motion, which carried 6/0.

Following discussion, Dr. J. Drake Miller moved that the change in Rule 64B19-11.0035, F.A.C. would not have a negative impact on small businesses and the change in the rule would not have an economic impact on government or any entity in excess of \$200,000 within one year of the repeal of the rule and that it also should not be part of the non-compliance rule and should not be designated as a minor violation. Dr. Dean Aufderheide seconded the motion, which carried 6/0.

## RULE STATUS REPORT

### 17. Assistant Attorney General, Diane Guillemette, Esquire

- Rule 64B19-11.0035, F.A.C., Licensure by Examination: Proof Satisfactory to the Board for the Purpose of Determining Eligibility for Examination

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
64B19-11.0035	Licensure by Examination: Proof Satisfactory to the Board for the Purpose of Determining Eligibility for Examination	07/21/2017	05/08/2017 08/17/2017	05/16/2017	08/28/2017 09/05/2017 japc ltr 09/14/2017 atty response		

- Rule 64B19-11.012 F.A.C., Application Forms

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
64B19-11.012	Application Forms	01/20/2017	08/16/2017	08/18/2017	09/06/2017 09/18/2017 japc ltr		

- Rule 64B19-13.003, F.A.C., Continuing Psychological Education Credit

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
64B19-13.003	Continuing Psychological Education Credit	07/21/2017	05/08/2017 08/18/2017	05/16/2017	08/28/2017 09/05/2017 japc ltr 09/14/2017 atty response		



## **OLD BUSINESS**

18. Annual Regulatory Plan

Informational Item

19. July 21, 2017 General Business Meeting Minutes

Following discussion, Dr. J. Drake Miller moved to accept the minutes. Dr. Dean Aufderheide seconded the motion, which carried 6/0.\_\_\_\_\_.

## **REPORTS, IF ANY**

20. J. Drake Miller, PsyD.

Other Board Members:

Dr. Andrew Rubin

- Healthiest Weight Updates, if any

Dr. J. Drake Miller provided an update on the information that ASPPB submitted regarding the development of the EPPP 2 Exam. Dr. Andrew Rubin volunteered to attend one of the webinars ASPPB is providing and report back to the Board during the January 19, 2018 General Business Meeting.

21. Executive Director

Report topics

- Cash Balance Reports

Informational Item

- Expenditures by Function Report

Informational Item

## **OTHER BUSINESS AND INFORMATION**

22. EPPP Exam Part 2

The Association of State and Provincial Psychology Boards provided the California Board of Psychology's Spring Journal through its list serve, suggesting Boards might be interested in reviewing an article written by Emil Rodolfa, Ph.D. and Carol Webb, Ph.D., about the EPPP Part 2. The article explains the EPPP Part 2, some of the reasoning that went into the decision to begin developing the Part 2, and other information that Boards might find useful.

Informational Item

23. ASPPB Disciplinary Data Report

Informational Item

24. ASPPB Meeting Minutes

Informational Item

25. Psychology Staff Recognition

Informational Item

## **ADDENDUM**

### **REVIEW OF PSYCHOLOGIST LICENSURE APPLICATIONS**

26. Warren Keller Endorsement of Other State License (NY 1983)

Dr. Keller was present. He was not represented by counsel.

Dr. Keller initially applied for licensure under both the Endorsement of 20 Years of Licensed Psychology Experience and Endorsement of Other State License method. However, his doctoral program at The State University of New York, University at Buffalo was not determined to be APA accredited at the time he was enrolled and graduated. Dr. Keller has since changed his application method to Endorsement of Other State License method.

Enclosed for the Board's review were the application, the 1983 New York regulations as well as the regulations of Florida that were in effect at that same time.

Following discussion, Dr. J. Drake Miller moved to approve the application based on the 1983 New York regulations being equivalent to the 1983 Florida regulations. Dr. Andrew Rubin seconded the motion, which carried 6/0.

### **PROVISIONAL PSYCHOLOGIST – REQUEST FOR APPROVAL OF NEW SUPERVISOR**

29. Jamie Leacock

Dr. Leacock was not present, nor represented by counsel.

Dr. Leacock informed the Board office on 10/18/2017 that she will no longer be supervised by Dr. Mary Jo Breiner. She has proposed Dr. Cindy Meeks as the new supervisor. Dr. Meeks has submitted documentation indicating her agreement to supervise Dr. Leacock.

Following discussion, Dr. J. Drake Miller moved to approved Dr. Cincy Meeks as the new provisional supervisor. Dr. Randi Mackintosh seconded the motion, which carried 6/0.

The meeting adjourned at 9:40 a.m.