

The Florida

Board of Psychology

Draft Minutes

April 24-25, 2014

Orlando World Center Marriott
8701 World Center Drive
Orlando, FL 32821



Luis Orta, Ph.D.
Chair

Dean Aufderheide, Ph.D.
Vice Chair

Minutes

**DEPARTMENT OF HEALTH
BOARD OF PSYCHOLOGY
GENERAL BUSINESS MEETING
APRIL 24-25, 2014
MINUTES
(Draft)**

**ORLANDO WORLD CENTER MARRIOTT
8701 WORLD CENTER DRIVE
ORLANDO, FL 32821
(407) 239-4200**

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.

April 24, 2014 – 4:00 p.m.

Call to Order – Training Session

NEW BOARD MEMBER TRAINING

Dr. Luis Orta, Chair, called the New Board Member Training meeting to order at approximately 4:00 p.m. Those present for all or part of the meeting, included the following:

MEMBERS PRESENT

Luis E. Orta, Ph.D., Chair
Harry J. Reiff, Psy.D.
J. Drake Miller, Psy.D.
Mary D. O'Brien, J.D

STAFF PRESENT

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

MEMBERS ABSENT

Dr. Dean Aufderheide -Excused

ASSISTANT ATTORNEY GENERAL

Rachel Clark, Esq.

Association of State and Provincial Psychology Boards (ASPPB) Training for Regulatory Boards

Presenters: Dr. Alex Siegel, ASPPB Director of Professional Affairs and Ms. Janet Pippin Orwig, MBA, Associate Executive Officer, Member Services

Dr. Alex Siegel explained that Ms. Pippin Orwig was unable to attend the training due to an unanticipated obligation.

Minutes

Dr. Siegel then proceeded to provide a general overview of board members responsibilities and responded to a variety of questions and comments from the Board members.

The meeting adjourned at 6:00 p.m.

April 25, 2014

LEGISLATIVE COMMITTEE MEETING

Dr. J. Drake Miller, Chair, called the Legislative Committee to order at approximately 8:00 a.m.

MEMBERS PRESENT

J. Drake Miller, Psy.D, Chair
Harry J. Reiff, Psy.D.
Ms. Mary D. O'Brien

STAFF PRESENT

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

ASSISTANT ATTORNEY GENERAL

Rachel Clark, Esquire

COURT REPORTER

Diana Garcia
American Court Reporting
407-896-1813

Tab 1. SPB 7028: Telemedicine and SB 1646: Telemedicine

During the March 21, 2014 Board Quorum Conference Call, the Board requested that these bills be added to the April 25, 2014 General Business meeting for further discussion during the Legislative Committee meeting.

Dr. Alex Siegel, ASPPB Director of Professional Affairs, addressed the Board providing information regarding ASPPB's interstate compact for telepsychology. They will present the drafted interstate compact to the ASPPB Board members at the October meeting.

Florida Psychological Association (FPA) representative, Ms. Connie Galiette, JD, Executive Director, also addressed the Board.

Following discussion, Dr. Harry Reiff moved that should the Behavior Analysts bill pass, regulation of same should be placed under the Board of Psychology. Ms. Mary D. O'Brien seconded the motion, which carried 3/0.

The Legislative Committee adjourned at 8:28 a.m.

Minutes

GENERAL BUSINESS MEETING

Dr. Luis Orta, Chair, called the general business meeting to order at approximately 9:00 a.m. Those present for all or part of the meeting, included the following:

MEMBERS PRESENT

Luis E. Orta, Ph.D., Chair
Harry J. Reiff, Psy.D.
J. Drake Miller, Psy.D.
Andrew S. Rubin, Ph.D.
Mary D. O'Brien, J.D

STAFF PRESENT

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

MEMBERS ABSENT

Dr. Dean Aufderheide -Excused

ASSISTANT ATTORNEY GENERAL

Rachel Clark, Esq.

COURT REPORTER

Diana Garcia
American Court Reporting
407-896-1813

PRESENTATION

Association of State and Provincial Psychology Boards (ASPPB): Overview of Member Services
Presenters: Dr. Alex Siegel, ASPPB Director of Professional Affairs and Ms. Janet Pippin Orwig, MBA, Associate Executive Officer, Member Services.

Dr. Alex Siegel provided information on ASPPB's Psychology License Universal System (PLUS), which is a universal application where ASPPB would be a primary source verifier. He also discussed ASPPB being in the primary stages of developing a competency based exam, which would eventually replace the EPPP exam, currently a knowledge based exam. ASPPB also does a lot of work with mobility facilitating fast track licensure from one jurisdiction to another where its Certificate of Professional Qualifications (CPQ) is accepted. Applicants can also bank their credentials with ASPPB, where jurisdictions will accept the materials as primary source.

Lastly, Dr. Siegel indicated that the next ASPPB Board meeting will be on October 24-26, 2014 in Palm Springs, California.

The Disciplinary Proceedings convened at 9:32 a.m.

Minutes

DISCIPLINARY PROCEEDINGS

MOTION FOR BOARD'S FINAL ORDER BY SETTLEMENT AGREEMENT

Tab 1. April Kassover, Case # 2011-18815 (p/c/p Dr. Luis Orta, Dr. Amy Swan, Ms. Ana Martin-Lavielle)

Dr. Luis Orta recused himself due to his participation on the Probable Cause Panel. Dr. Reiff chaired this proceeding due to Vice-Chair, Dr. Aufderheide not being in attendance.

Dr. Kassover and her attorney, Richard Collins were present and sworn in.

Dr. Kassover was charged by an Administrative Complaint with violating Section 490.009(1)(t), Florida Statutes (2008-2011), through a violation of Rule 64B19-19.0025(1)(2)(4) by failing to include required information in her records related to the psycho-educational evaluation of patient and violating Section 490.009(1)(r), Florida Statutes (2008-2011) by failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance.

Following discussion, Dr. Andrew Rubin moved to deny the Settlement Agreement. Ms. Mary D. O'Brien seconded the motion, which carried 4/0.

The Board offered a counter settlement which included:

- One (1) year probation
- Appearance by Dr. Kassover and her supervisor at a Board meeting at the start and conclusion of her probation
- Letter of Concern
- \$2,000.00 fine
- \$1,875.96 in costs
- Continuing education that would include three (3) hours of record keeping, nine (9) hours in psychometrics and six (6) hours in Florida Laws and Rules. The courses may be home study courses, provided there is an examination at the end of the course.

Dr. Kassover accepted the terms of the counter settlement.

Dr. Andrew Rubin moved to accept the counter settlement. Ms. Mary D. O'Brien seconded the motion, which carried 4/0.

The Board requested that the psychologist who provided written support of the inadequate reports completed by Dr. Kassover be reported to Consumer Services.

Tab 2. Jeffrey Michael Williamson, Case # 2008-19261 (p/c/p Dr. Luis Orta, Dr. Amy Swan, Ms. Ana Martin-Lavielle)

Dr. Luis Orta recused himself due to his participation on the Probable Cause Panel. Dr. Reiff chaired this proceeding due to Vice-Chair, Dr. Aufderheide not being in attendance.

Dr. Williamson was present and sworn in. He was not represented by counsel.

Minutes

The complainant in the case was also present and sworn in.

Dr. Williamson violated Section 490.009(1)(r), Florida Statutes (2006), by failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience.

Dr. Williamson indicated that he no longer practices in the area of custody evaluations. He also requested the Board consider an extension on his time to pay the fine and costs from six (6) months to twenty-four (24) months as well as consider allowing him to complete the Continuing Education requirement in other areas.

The complainant in the case provided an impact statement.

Ms. Mary D. O'Brien moved to deny the Settlement Agreement. Dr. Andrew Rubin seconded the motion, which carried 4/0.

The Board offered a counter settlement which included:

- One (1) year probation
- Appearance by Dr. Williamson and his supervisor at a Board meeting at the start and conclusion of his probation
- Formal Reprimand
- \$4,000.00 fine to be paid within twenty-four (24) months
- \$11,655.67 in costs
- Nine (9) hours in Continuing Education which includes three (3) hours in the area of scoring, recording and interpretation of test data and six (6) hours in Florida Laws and Rules. The courses may be home study courses, provided there is an examination at the end of the course.
- Affidavit from Dr. Williamson indicating a clear understanding of the laws and rules governing the practice of psychology.
- Dr. Williamson would not be authorized to serve as a supervisor during his probation.
- Practice will be restricted to exclude custody evaluations.

Ms. Mary D. O'Brien moved to accept the counter settlement. Dr. J. Drake Miller seconded the motion, which carried 4/0.

Dr. Williamson has requested thirty (30) days to make a decision on the counter offer.

POST DISCIPLINARY PROCEEDINGS

PETITION FOR TERMINATION OF PROBATION

Tab 3. Charles Madsen, Case #'s 2006-36750 and 2008-16914

Ms. Mary D. O'Brien informed the Board that she was the supervisor of the attorney that drafted the administrative complaint in the 2006 case, but that would not influence her vote.

Dr. Madsen and his supervisor, Dr. James Meyer were both present and sworn in.

Minutes

Dr. Madsen was before the Board as per the final order, which required that he and his probationary supervisor appear at the last meeting before his probation was scheduled to conclude. As per the Board's order filed May 10, 2012, Dr. Madsen's probationary supervision is scheduled for termination on May 09, 2014.

Following discussion, Dr. Harry Reiff moved to approve the termination of probation. Dr. J. Drake Miller seconded the motion, which carried 5/0.

PROSECUTOR'S REPORT

Tab 4. Lealand McCharen, Esq.

| CASE STATUS SUMMARY | # OF CASES |
|--------------------------------------|---|
| Total Cases open/active in PSU: | 20 |
| Cases under legal review: | 5 |
| Cases where PC Recom made: | 6 |
| Total Cases where PC has been found: | 9, (includes the two cases on this agenda.) |
| Cases in holding status: | 0 |
| Cases awaiting supp. invest.: | 0 |
| Cases in an 80 status: | 7 |
| Cases pending before DOAH: | 0 |
| Cases awaiting board action: | 2 |
| Cases in Emergency Action Unit: | 5 |

ADMINISTRATIVE PROCEEDINGS

APPLICANTS FROM APA ACCREDITED PROGRAMS FOR EXAMINATION AND LICENSURE AS NOTED

Tab 5. List of Applicants

Dr. Andrew Rubin moved to approve the list of applicants for examination and licensure as noted. Ms. Mary D. O'Brien seconded the motion, which carried 5/0.

CONTINUING EDUCATION RATIFICATION LIST

Tab 6. List of Applicants

Dr. Andrew Rubin moved to approve the list of applicants for continuing education provider status and medical errors courses as noted. Ms. Mary D. O'Brien seconded the motion, which carried 5/0.

Minutes

MOTION FOR FINAL ORDER ON RECOMMENDED ORDER

Tab 7. Ruth Prevor, DOAH Case # 13-3520

Dr. Prevor was not present nor represented by counsel.

Dr. Luis Orta recused himself due to a conflict of interest. Dr. Harry Reiff chaired this proceeding due to Vice-Chair, Dr. Dean Aufderheide not being in attendance.

Lealand McCharen represented the Board as Rachel Clark participated in the Division of Administrative Hearing (DOAH) case.

Dr. Prevor was before the Board at the July 26, 2013 General Business meeting for a reconsideration of her petition and her license application. She filed a petition for a variance or waiver of rule 64B19-11.0035 F.A.C. so that her education would be acceptable for licensure. Dr. Prevor graduated with a Ph.D in Clinical Psychology from the Caribbean Center for Advanced Studies in Puerto Rico, which was not accredited by the APA.

After further review, the Board determined that even if they were to reconsider the rule, they are still bound by the statute and the Board does not have the authority to waive the statute. Consequently, the Board denied the petition. Dr. Prevor then requested that the application remain in abeyance for an additional six (6) months, which the Board granted.

Dr. Prevor appealed the Board's decision on the petition to the Division of Administrative Hearings (DOAH). The DOAH hearing was held on December 11, 2013 and the Recommended Order from the Administrative Law Judge was issued on January 28, 2014 with a recommendation that the Board enter a Final Order dismissing the petition.

The Board first considered exceptions to the findings of fact in the Recommended Order.

Ms. Mary D. O'Brien moved to deny exception number one (1). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number two (2). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number three (3). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number four (4). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number five (5). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number six (6). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Minutes

Ms. Mary D. O'Brien moved to deny exception number seven (7). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number eight (8). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number nine (9). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number ten (10). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number eleven (11). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number twelve (12). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number thirteen (13). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number fourteen (14). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to accept the findings of fact presented in recommended order of the Administrative Law Judge. Dr. Andrew Rubin seconded the motion, which carried 4/0.

The Board then undertook consideration of the exceptions to the conclusions of law in the recommended order.

Ms. Mary D. O'Brien moved to deny exception number fifteen (15). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number sixteen (16). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number seventeen (17). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number eighteen (18). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number nineteen (19). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to deny exception number twenty (20). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Minutes

Ms. Mary D. O'Brien moved to deny exception number twenty-one (21). Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to accept the conclusions of law as set forth in the recommended order. Dr. Andrew Rubin seconded the motion, which carried 4/0.

Ms. Mary D. O'Brien moved to accept the Administrative Law Judge's recommendation that the petition be denied. Dr. Andrew Rubin seconded the motion, which carried 4/0.

REVIEW OF APPLICATION FOR LICENSURE

Tab 8. Ruth Prevor

Dr. Prevor was not present nor represented by counsel.

Dr. Luis Orta recused himself due to a conflict of interest. Dr. Reiff chaired this proceeding due to Vice-Chair, Dr. Dean Aufderheide not being in attendance.

Dr. Prevor's application for licensure has been held in abeyance since the July 26, 2013 General Business Meeting pending the outcome of the Division of Administrative Hearings (DOAH) action on her petition. The Board is asked to render a final determination as to whether the application will be approved or denied.

Following discussion, Dr. J. Drake Miller moved to deny the application. Dr. Andrew Rubin seconded the motion, which carried 4/0.

At this point in the meeting, the Board broke for lunch at 12:04 p.m. and reconvened at 1:20 p.m.

PETITION OF VARIANCE OR WAIVER AND REVIEW OF APPLICATION FOR LICENSURE

Tab 9. Rachel Fazio re: 64B19-11.005, F.A.C., Supervised Experience Requirements

Dr. Fazio was not present nor represented by counsel.

Dr. Fazio petitions for a variance or waiver of Rule 64B19-11.005 F.A.C. for the Board to consider her post-doctoral supervision that she received in Canada from a licensed Canadian psychologist to be acceptable.

Rule 64B19-11.005 (1)(c), F.A.C., requires that a supervisor is either a licensed Florida psychologist in good standing with the Board, or a doctoral level psychologist licensed in good standing in another state or United States territory providing supervision for licensure in that state or territory.

Following discussion, Dr. Harry Reiff moved to approve the petition as Dr. Fazio has demonstrated that the statute requirements will be met and she would have an unfair disadvantage if the petition was not granted. Dr. Andrew Rubin seconded the motion, which carried 5/0.

Dr. Andrew Rubin moved to approve the licensure application. Dr. J. Drake Miller seconded the motion, which carried 5/0.

Minutes

PROVISIONAL PSYCHOLOGIST – REQUEST FOR APPROVAL OF NEW SUPERVISOR

Tab 10. Amerlee Henson

Dr. Henson was not present nor represented by counsel.

Dr. Bonnie Migliosi informed the Board office on 03/20/2014 that she will be assuming supervisory responsibility for Dr. Henson. The current supervisor, Dr. Ariel Gonzalez, will cease his supervisory role. Dr. Henson has submitted a statement indicating her agreement to the change in supervisors. Dr. Luis Orta has given temporary approval.

The Board expressed concerns about this being the third supervisor that Dr. Henson has had in one year's time and if there was continuity in her training.

Following discussion, Dr. J. Drake Miller moved to accept Dr. Migliosi as the new supervisor. Dr. Andrew Rubin seconded the motion, which carried 5/0.

Tab 11. Jaymes Gonzales

Dr. Gonzales was not present nor represented by counsel.

Dr. Bonnie Migliosi informed the Board office on 03/20/2014 that she will be assuming supervisory responsibility for Dr. Gonzales. The current supervisor, Dr. Ariel Gonzalez, will cease his supervisory role. Dr. James Gonzales has submitted a statement indicating his agreement to the change in supervisors. Dr. Luis Orta has given temporary approval.

The Board expressed concerns about this being the third supervisor that Dr. Gonzales has had in one year's time and if there was continuity in his training.

Following discussion, Dr. J. Drake Miller moved to approve Dr. Migliosi as the new supervisor. Dr. Andrew Rubin seconded the motion, which carried 5/0.

PETITION FOR WAIVER OR VARIANCE

Tab 12. Sherman Slone re: 64B19-13.003(1)(h), F.A.C, Continuing Psychological Education Credit

Dr. Slone was present and sworn in. He was not represented by counsel.

Dr. Luis Orta recused himself due to a conflict of interest. Dr. Reiff chaired this proceeding due to Vice-Chair, Dr. Dean Aufderheide not being in attendance.

Discussion regarding Continuing education provider, Prescribing Psychologist Register (PPR) was before the Board at the March 21, 2014 Board Quorum Conference call for the Board to determine whether they would allow credit for Medical Errors courses that were not Board approved or home study courses that were not APA approved, offered by PPR. The Board indicated that any affected licensees had the option to file a petition.

Minutes

Dr. Slone has filed a petition for variance or waiver of Rule 64B19-13.003(2)(e), F.A.C., so that the 36 hours of continuing education credit that he has completed through Prescribing Psychologist Register be accepted.

After further discussion with Board Counsel, it was determined that the appropriate citation of the rule for this petition was Rule 64B19-13.003(2)(e), F.A.C.

Following discussion, Dr. J. Drake Miller moved to approve the petition as it demonstrates that the purpose of the underlying statute has been or will be achieved and that application of the rule imposes a substantial hardship or violates principles of fairness. Dr. Andrew Rubin seconded the motion, which carried 5/0.

Tab 13. Melodie Moorehead re: 64B19-13.003(2)(e), F.A.C, Continuing Psychological Education Credit

Dr. Moorehead was not present nor represented by counsel.

Continuing Education provider, Prescribing Psychologist Register (PPR) was before the Board at the March 21, 2014 Board Quorum Conference call for the Board to determine as to whether they will allow credit for Medical Errors courses that were not Board approved or home study courses that were not APA approved. The Board indicated that any affected licensees had the option to file a petition.

Dr. Moorehead has filed a petition for variance or waiver of Rule 64B19-13.003(2)(e), F.A.C., so that the 40 hours of continuing education credit that she has completed through Prescribing Psychologist Register be accepted.

After further discussion with Board Counsel, it was determined that the appropriate citation of the rule for this petition was Rule 64B19-13.003(2)(e), F.A.C.

Following discussion, Dr. J. Drake Miller moved to approve the petition as it demonstrates that the purpose of the underlying statute has been or will be achieved and that application of the rule imposes a substantial hardship or violates principles of fairness. Dr. Andrew Rubin seconded the motion, which carried 5/0.

RULES REVIEW AND/OR DEVELOPMENT

Tab 14. Determination of Rule Impact

The language below, or similar, is used routinely in certain rulemaking notices that are published in the Florida Administrative Register. This language may no longer be sufficient to demonstrate how a Board/Council arrived at their impact determination.

“The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information

Minutes

expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.”

In an effort to assist Boards/Councils in their deliberations, staff will now include a blank “SERC Checklist” in any tab in which the Board will be required to determine the impact of a rule. Currently, staff completes the checklist, as part of the rules process, after the Board/Council has voted on the SERC questions below.

1. Will the proposed rule will have an adverse impact on small business?
2. Whether the proposed rule is likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after the implementation of the rule?

Informational Item

Tab 15. Chapter 64B19-15.003, F.A.C, Reactivation of Inactive License

The Attorney General’s office has requested that a statement regarding email addresses being public be added to each application. They have also indicated there is no statutory authority to request the city or state of birth on an application. Enclosed for the Board’s review is the revised Reactivation of Inactive Licenses Application with the request for the city or state of birth removed from page 2 on the application and the email statement added on page 4.

Following discussion, Ms. Mary D. O’Brien moved to approve the revised form. Dr. Andrew Rubin seconded the motion, which carried 5/0.

Following discussion, Ms. Mary D. O’Brien moved that the change in the rule 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 rule being implemented. Dr. Andrew Rubin seconded the motion, which carried 5/0.

RULE STATUS REPORT

Tab 16. Rachel Clark, Assistant Attorney General

- Rule 64B19-17.004 F.A.C., Citations

| Rule Number | Title | Sent to OFARR | Rule Dev. Published | Notice Published | Adopted | Effective |
|--------------|-----------|---------------|---------------------|------------------|---------|-----------|
| 64B19-17.004 | Citations | 11/07/2013 | 11/15/13 | | | |

- Rule 64B19-17.007 F.A.C., Mediation

Minutes

| Rule Number | Title | Sent to OFARR | Rule Dev. Published | Notice Published | Adopted | Effective |
|--------------|-----------|---------------|---------------------|------------------|---------|-----------|
| 64B19-17.007 | Mediation | 11/07/2013 | 11/15/13 | | | |

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

| Rule Number | Title | Sent to OFARR | Rule Dev. Published | Notice Published | Adopted | Effective |
|--------------|-------------------|---------------|---------------------|------------------|-----------|-----------|
| 64B19-11.012 | Application Forms | 11/14/13 | 11/22/13 | 12/9/13 | 4/11/2014 | |

- Rule 64B19-11.001 F.A.C., Examination

| Rule Number | Title | Sent to OFARR | Rule Dev. Published | Notice Published | Adopted | Effective |
|--------------|-------------|---------------|---------------------|------------------|---------|-----------|
| 64B19-11.001 | Examination | 3/27/14 | 4/04/14 | | | |

- Rule 64B19-11.010 F.A.C., Limited Licensure

| Rule Number | Title | Sent to OFARR | Rule Dev. Published | Notice Published | Adopted | Effective |
|--------------|-------------------|---------------|---------------------|------------------|---------|-----------|
| 64B19-11-010 | Limited Licensure | 3/27/14 | 4/04/14 | | | |

- Rule 64B19-11.011 F.A.C., Provisional License; Supervision of Provisional Licensees

| Rule Number | Title | Sent to OFARR | Rule Dev. Published | Notice Published | Adopted | Effective |
|--------------|---|---------------|---------------------|------------------|---------|-----------|
| 64B19-11.011 | Provision License; Supervision of Provisional Licensees | 3/27/14 | 4/04/14 | | | |

Rachel Clark also presented the Board with the Annual Regulatory Plan. Dr. J. Drake Miller moved to approve the Annual Regulatory Plan. Dr. Andrew Rubin seconded the motion, which carried 5/0.

REPORTS, IF ANY

Tab 17. Dr. Luis Orta, Ph.D.

Other Board Members

Dr. J. Drake Miller provided the Legislative Committee's recommendation to the Board regarding Behavior Analysts. Dr. Harry Reiff moved to send the recommendation through the Department of Health that Behavior Analysts should be under the Board of Psychology due to Behavior Analysts being in the scope of practice for psychology. Ms. Mary D. O'Brien seconded the motion, which carried 5/0.

Dr. Harry Reiff mentioned that he and Allen Hall attended the Budget Workshop in Tallahassee that was held in March.

Minutes

Any members who would like to attend the ASPPB meeting in October, should inform Allen Hall as soon as possible.

Tab 18. Executive Director

Report topics

- Cash Balance Reports
- Expenditures by Function Report

- Cash Balance Reports

Informational Item

- Expenditures by Function Report

Informational Item

Tab 19. ULA Campaign Update

The Unlicensed Activity Office has provided an update on the psychology specific campaign that they have been working on with the Florida Psychology Association at the Board's request.

NEW BUSINESS

Tab 20. ASPPB Nominations

Dr. Luis Orta moved to nominate Anna King for the ASPPB Ming Fisher Award. Dr. Andrew Rubin seconded the motion, which carried 5/0.

Tab 21. Legislative Update

The following bills are before the Board for discussion:

- HB 7015-Veterans Bill
- CS/SB 1066 -Department of Health Bill
- CS/SB 1646-Telemedicine
- CS/HB 751-Telehealth
- HB 167- Telemedicine
- SB 70- Telemedicine
- CS/SB 1212-Behavior Analysts
- CS/CS/HB 111-Forensic Behavioral health Evaluations
- SB 240-Sexual Orientation Change Therapy
- SB436-Payment for Services Provided by Licensed Psychologists
- CS/HB 829-Involuntary Examinations Under the Baker Act

The Board expressed some concerns regarding the CS/HB829-Involuntary Examinations under the Baker Act. FPA representative, Ms. Connie Gaiette, JD, Executive Director addressed the Board regarding the Baker Act.

Minutes

Tab 22. Review of Psychology Licensure Laws

Chapter 490 provides several avenues of licensure, each with specific statutory requirements. The Credentials Committee and Board have struggled in implementing some of these requirements. Particularly, under some of the endorsement methods, the Board has been required to deny licensure to applicants, whom, except for not meeting certain specific requirements, the Board would have been willing to license.

This discussion is before the Board to consider if the Board wishes to suggest statutory changes. If the Board wants to move forward with changes, the Board should do so with the understanding that once the chapter is opened the Board is unable to control the legislative process. It is common for proposed language to be amended or totally unrelated changes introduced. Changes may or may not be supported by the Board and the Board may not be consulted.

Following discussion, the Board agreed to a Legislative Committee Conference Call to further discuss draft language.

OLD BUSINESS

Tab 23. January 24, 2014 General Business Meeting Minutes

Dr. Harry Reiff moved to accept the minutes. Dr. J. Drake Miller seconded the motion, which carried 5/0.

Tab 24. March 21, 2014 Board Quorum Call Minutes

Ms. Mary D. O'Brien moved to accept the minutes. Dr. Harry Reiff seconded the motion, which carried 5/0.

Tab 25. Discussion: Rule 64B19-13.003, F.A.C., Continuing Education Guidelines – Suggested Licensee Documentation/Verification for CE Credit

The Board approved proposed changes to Rule 64B19-13.003, F.A.C., Continuing Education Guidelines, based on its review of the June 2012 ASPPB Guidelines for Continuing Professional Development. These changes were officially published in rule on March 18, 2014.

CE Broker has inquired as to documentation licensees might submit to provide verification they have met the criteria for continuing education credit under some of the new or modified provisions in the rule.

As the Continuing Education Committee Chair, Dr. Orta has reviewed and provided suggestions for the full Board to discuss.

Following discussion the Board approved the suggested guidelines.

OTHER BUSINESS AND INFORMATION

Tab 26. Psychology Staff Recognition

Informational Item

Minutes

ADDENDUM

PETITION OF VARIANCE OR WAIVER AND REVIEW OF APPLICATION FOR LICENSURE

Tab 27. Kathleen Gibney re: Section 490.003(3), F.S., Definitions

Dr. Gibney was not present nor represented by counsel.

Dr. Gibney petitions for a variance or waiver of Section 490.003(3), F.S., Definitions for the Board to consider her education that she received from Northeastern University, Boston, to be acceptable. Dr. Gibney received her doctorate degree on June 18, 1994, however her program was not APA accredited until October 31, 1995.

Prior to the meeting, Dr. Gibney's attorney submitted a written request to withdraw the petition. Dr. Gibney also waived the 90 day requirement on Board action on her completed application.

The meeting adjourned at 2:37 p.m.