The Florida Board of Psychology

BOARD OF PSYCHOLOGY
GENERAL BUSINESS MEETING
BY TELEPHONE CONFERENCE CALL

AUGUST 14, 2019
DIAL-IN NUMBER: 1 (888) 585-9008
PUBLIC CONFERENCE CODE*: 564-341-766 #

Dr. Andrew Rubin
Chair

Dr. Randi Mackintosh
Vice Chair
BOARD OF PSYCHOLOGY
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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.

1 Call to Order - General Business Meeting

2 GENERAL BUSINESS MEETING

3 Dr. Andrew Rubin, Chair, called the general business meeting to order at approximately 9:03 a.m. Those present for all or part of the meeting, included the following:

5 MEMBERS PRESENT
6 Dr. Andrew Rubin, Chair
7 Dr. Randi Mackintosh, Vice Chair
8 Dr. Catherine Drew
9 Ms. Mary (Denny) O’Brien, J.D.

6 STAFF PRESENT
7 Allen Hall, Executive Director
8 Anna King, Program Administrator
9 Tybriana Tucker, Regulatory Specialist II
10 La’Shonda Sloan, Regulatory Specialist II

10 SENIOR ASST. ATTORNEY GENERAL
11 Diane Guillemette, Esq.

12 ASSISTANT GENERAL COUNSEL
13 Christina Shideler, Esq.

12 PROSECUTOR’S REPORT

13 1. Christina Shideler, Esq.

14 Total Cases open/active in PSU: 37
15 Cases in EAU: 0
16 Cases under legal review: 25
17 Cases where PC Recom made: 2
18 Total Cases where PC has been found: 8
19 Cases in holding status: 0
20 Cases pending before DOAH: 0
21 Cases Agendaed for Board: 1
22 Cases on Appeal: 0
23 Year or Older Cases: 23

24 Ms. O’Brien moved to continue prosecuting cases older than 1 year. Dr. Rubin seconded the motion, which carried 4/0.
ADMINISTRATIVE PROCEEDINGS

PERSONAL APPEARANCE PURSUANT TO §456.013(3)(c), FLORIDA STATUTES

2. Patrice Dow-Nelson Examination with Waiver

Dr. Dow-Nelson was present on the conference call. Dr. Dow-Nelson was not represented by legal counsel.

During the April 2019 Board Meeting, Dr. Dow-Nelson’s application was before the Board for review of documentation submitted regarding her post-doctoral supervision. Upon review, a personal appearance was required of Dr. Dow-Nelson at one of the next two scheduled meetings, pursuant to Section 456.013(3)(c), F.S. Dr. Dow-Nelson informed she would attend the next scheduled meeting to address the Board’s inquiries regarding her supervision.

Dr. Dow-Nelson applied for licensure under the Examination with Waiver of the National EPPP method. Dr. Dow-Nelson documented satisfaction of all except the supervision requirements, which required further review by the Board. All relevant documentation was provided for the Board’s consideration.

Following discussion, Dr. Rubin moved to approve the application under Examination with Waiver method. Dr. Drew seconded the motion, which carried 4/0.

REVIEW OF PSYCHOLOGIST LICENSURE APPLICATIONS

3. Gregory Brown Bifurcation Examination Method

Dr. Brown was not present but was represented by Attorney Juan Santos, Esquire, on the conference call.

Dr. Brown applied for licensure under the Examination with Waiver method. He received his Psy.D. in Clinical Psychology from Carlos Albizu University, which held APA Accreditation at the time Dr. Brown was enrolled and graduated.

Additionally, Dr. Brown responded “yes” to criminal history on his application. During the April 24, 2015 credentials committee meeting, the Board moved to deny his application based on past criminal history. All relevant documentation regarding Dr. Brown’s history was provided for the Board’s consideration.

Following discussion, Dr. Rubin moved to approve the application under the Bifurcation/Examination method. Dr. Drew seconded the motion, which carried 4/0.

RECONSIDERATION OF PSYCHOLOGIST LICENSURE APPLICATION

4. Cris Johnston Endorsement of Other State License Method

Dr. Johnston was present on the conference call. Dr. Johnston was not represented by legal counsel.
Dr. Johnston previously applied for licensure under the Endorsement of his psychologist license issued in Minnesota in 1986. The application was considered by the Board during its April 2019 meeting. The Board denied Dr. Johnston’s application due to the psychologist licensure requirements in Minnesota not being deemed substantially equivalent to those in effect in Florida at the same time, as required by Section 490.006, F.S. Thereafter, Dr. Johnston requested reconsideration of the denial of his application for review during the next meeting of the Board.

Following discussion, Dr. Mackintosh moved to retain the Board’s original denial of the application under the Endorsement of Other State method. Dr. Rubin seconded the motion, which carried 4/0.

**Licensure Ratification Lists**

5. Licensed Psychologists

Dr. Mackintosh stated she attended graduate school with one of the applicants on the ratification list but did not believe it would create a bias requiring her to abstain from voting on this item.

Dr. Rubin moved to approve the list of psychologists for licensure as noted. Dr. Drew seconded the motion, which carried 4/0.

6. Licensed Provisional Psychologists

Dr. Mackintosh stated she was familiar with one of the applicants on the ratification list but did not believe it would create a bias requiring her to abstain from voting on this item.

Dr. Rubin moved to approve the list of provisional psychologists for licensure as noted. Dr. Drew seconded the motion, which carried 4/0.

**Continuing Education Ratification List**

7. List of Applicants

Dr. Rubin moved to approve the list of continuing education providers and medical errors course applicants as noted. Dr. Drew seconded the motion, which carried 4/0.

**Application Extension Ratification List**

8. List of Applicants

Dr. Rubin moved to approve the application extension ratification list of individuals granted additional time to complete the requirements for licensure pursuant to Rule 64B19-11.0075 (2), F.A.C. Dr. Mackintosh seconded the motion, which carried 4/0.
FILE CLOSURE APPLICANTS FOR DENIAL PURSUANT TO §490.005(3)(b), F.S.

9. List of Applicants

Dr. Elizabeth Dumville, an applicant on the file closure list, was present and addressed the Board during the discussion.

Following discussion, Dr. Rubin moved to ratify the file closure list as presented. Ms. O’Brien seconded the motion, which carried 4/0.

RULES REVIEW AND/OR DEVELOPMENT

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

Ms. Guillemette presented two letters received from the Joint Administrative Procedures Committee (JAPC) regarding changes made to the Florida Laws & Rules and EPPP re-examination application forms incorporated by reference in this rule.

Following discussion, Ms. O’Brien move to approve the draft response to JAPC drafted by Ms. Guillemette. Dr. Drew seconded the motion, which carried 4/0.

11. Rule 64B19-12.005, F.A.C., Biennial Active Renewal Fee

Ms. Guillemette presented a letter received from JAPC regarding the Board’s proposed rule amendment to reduce the biennial active psychologist renewal fee for veterans of the Armed Forces of the United States.

Following discussion, Dr. Rubin moved to withdraw the Board’s request to amend the rule text due to there being no statutory authority for the amendment. Dr. Mackintosh seconded the motion, which carried 4/0. Ms. Guillemette will provide the Board’s determination to the Joint Administrative Procedures Committee.

REPORT OF ASSISTANT ATTORNEY GENERAL, DIANE GUILLEMETTE, ESQUIRE

12. Rules Status Report:

- Rule 64B19-11.001, F.A.C., Examination
- Rule 64B19-12.005, F.A.C., Biennial Active Renewal Fee
- Annual Regulatory Plan

Following discussion, Dr. Rubin moved to delegate Ms. O’Brien to collaborate with Ms. Guillemette on preparation of the Annual Regulatory Plan. Dr. Mackintosh seconded the motion, which carried 4/0.

NEW BUSINESS

13. 2019 Legislation

- HB 23, Telehealth
- HB 7067, Registration Fees
1. SB1418, Mental Health

No action taken. Informational item.

14. Florida Psychological Association (FPA): Requesting Endorsement of PSYPACT Legislation

Dr. Carolyn Stimel, FPA Executive Director, was present on the conference call and addressed the Board concerning endorsement of the Association of State and Provincial Psychology Board’s (ASPPB) PSYPACT. Dr. Stimel indicated it was the FPA’s intention to move forward legislation in that regard during the upcoming session.

Following discussion, Dr. Rubin moved to endorse the PSYPACT. Dr. Drew seconded the motion, which carried 4/0.

15. National Register of Health Service Psychologists: Proposed Amendment to Section 490.006, F.S., Licensure by Endorsement

Dr. Morgan Simmons and Dr. Andrew Boucher were present on the conference call and addressed the Board on behalf of the National Register of Health Service Psychologists. They presented proposed language for endorsement of its Health Service Psychologist (HSP) credential for Florida psychologist licensure.

Mr. Hall mentioned the proposed draft language might unintentionally impact the school psychologist licensure process, which is regulated by the Department of Health versus the Board.

Following discussion, Dr. Rubin tabled for further consideration at the next Board meeting. Ms. O’Brien seconded the motion, which carried 4/0. The Board agreed it would also be interested in considering the ASPPB’s Certified Professional Qualification (CPQ) for licensure endorsement.

OLD BUSINESS

16. April 26, 2019 General Business Meeting Minutes

Dr. Rubin moved to approve the April 2019 Meeting Minutes. Dr. Drew seconded the motion, which carried 4/0.

REPORTS, IF ANY

17. Andrew S. Rubin, Ph.D., Chair

Other Board Members:

No reports were provided by the Board Chair or other Board members.

18. Executive Director

Report topics:

Cash Balance Report
1. **Expenditures by Function Report**

No action taken. Informational items.

2. **OTHER BUSINESS AND INFORMATION**

3. 19. ASPPB Disciplinary Data Report

No action taken. Informational item.

4. 20. Psychology Staff Recognition

No action taken. Informational items.

5. **ADDENDUM**

6. **REVIEW OF PSYCHOLOGIST LICENSURE APPLICATIONS**

7. 21. Tamika Haynes-Robinson Examination with Waiver-Foreign Educated

Dr. Haynes-Robinson applied under the Examination with Waiver-International Education application method, which requires as follows: 1) proof that the government of the country in which the training institution was located officially recognized same for training in the practice of professional psychology; 2) a comparability letter from an APA-accredited program director stating applicant’s program was equivalent to an APA-accredited psychology program; 3) proof of doctoral-level psychology degree and internship equivalence by a Board-approved credentials evaluation service; 4) proof of post-doctoral supervision; and 5) transfer of the EPPP Score. If approved by the Board, the applicant must also complete Florida laws and rules examinations prior to licensure. Provided for the Board’s review are the application, and all required supporting documents.

Following discussion, Dr. Randi Mackintosh moved to approve application under Examination with Waiver- Foreign educated. Dr. Catherine Drew seconded the motion, which carried 4/0.

8. **ADDITIONAL DISCUSSION**

9. Ms. Guillemette mentioned that she would possibly look into drafting rule amendments to Rule 64B19-11.0035, F.A.C., to allow more flexibility when a former APA-program director prepares an APA comparability letter for an internationally trained applicant. The rule currently requires a program director presently serving at an APA-accredited program to prepare the letter.

10. **NEW BUSINESS**

11. 22. ASPPB Psychology Licensure Universal System (PLUS)

The ASPPB provided information regarding its universal licensure application process for the Board’s consideration, as well as a survey for its completion.

12. Mr. Hall outlined potential concerns regarding adopting the system in Florida but noted the Board staff could continue to gather additional information for the Board’s future review, if desired.
After review and discussion, the Board expressed that it would be interested in receiving additional information and provided corresponding responses to the ASPPB survey.

Adjournment: 10:44 a.m.