

**PSYCHOLOGY EXAMINING BOARD
MEETING MINUTES
MAY 13, 2009**

PRESENT: Cynthia Bagley; Don Crowder, Ph.D.; Bruce Erdmann, Ph.D.; Gerald Hollander, Ph.D.; Erica Serlin, Ph.D.

EXCUSED: Teresa Rose

STAFF: Jeff Scanlan, Bureau Director; Peggy Wichmann, Legal Counsel; Kimberly Wood, Minute Taker and other DRL Staff

GUESTS: Stephen Seaman, Wisconsin Psychological Association (WPA); Sarah Bowen, WPA; Alice O'Connor, Wisconsin Psychiatric Association; Jerry Halverson, MD, Wisconsin Psychiatric Association; Jeremy Levin, Rural Wisconsin Health Cooperative (RWHC)

CALL TO ORDER

Don Crowder, Ph.D., Chair, called the meeting to order at 9:37 a.m. A quorum of five (5) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

- Closed Session – Application Sub-Committee – Remove: Erica Serlin, Ph.D. from the names of members listed.

MOTION: Erica Serlin, Ph.D. moved, seconded by Cynthia Bagley, to approve the May 13, 2009 agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 11, 2009

MOTION: Erica Serlin, Ph.D. moved, seconded by Bruce Erdmann, Ph.D., to approve the minutes of March 11, 2009 as published. Motion carried unanimously.

ADMINISTRATIVE REPORT

Jeff Scanlan updated the Board on the merger of the Office of Legal Counsel and the Division of Board Services. The Board was advised that as a part of this merger Peggy Wichmann will no longer serve as legal counsel to the Board after today's meeting. It was then indicated that Colleen Baird has been assigned to serve in the capacity of legal counsel to the Board. The Board extended its appreciation to Peggy Wichmann in the exemplary and dedicated service she has provided. The Board was also updated regarding the following staff updates:

- Nicole Goodman has transferred from the Division of Board Services to a position in the Office of Education and Examination.
- Amy Childers, formerly with the Division of Board Services, has left the Department.

PRESENTATION OF PROPOSED STIPULATIONS

None.

PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE RECEIVED IN THE BUREAU AFTER MAILING OF AGENDA

None.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

Noted.

STATUS OF RULES AND STATUTES FOR ALL PENDING LEGISLATION

Status of LRB 073527/1

Jeff Scanlan provided an update regarding the status of LRB 073527/1. The Board was advised of efforts to secure sponsorship for the introduction of this bill.

PSYCHOLOGY BOARD REVIEW OF "PRACTICE FAQ'S" ON THE PSYCHOLOGIST PAGE OF THE DEPARTMENT OF REGULATION AND LICENSING'S WEBSITE

The Board briefly discussed their progress on this revision of the "Practice FAQ's". The Board continues to work on the "Practice FAQ's". This item will be brought back to the next meeting.

PSYCHOLOGY BOARD REVIEW OF PROPOSED CHANGES TO APPLICATION FOR LICENSURE AS A PSYCHOLOGIST, FORM #'S 2553, 2554, 2555 & 2557

The Board reviewed the following revised application forms: 2553, 2554, 2555 & 2557. There was discussion surrounding changes that have been made to these forms. Also discussed was the identification of the need for revisions to the nature of intended practice form regarding clarifications of the areas of competence. While on the topic of the experience requirements to gain licensure an issue was raised and the Board discussed teaching experience and its applicability to competence. The Board made comments regarding the application forms and indicated that this issue will be revisited at a future meeting.

PSYCHOLOGY BOARD REVIEW OF 2009 SENATE BILL 180, RELATING TO: GRANTING OF PRESCRIPTIVE AUTHORITY TO PSYCHOLOGISTS

Stephen Seaman, WPA – Taskforce for Prescriptive Authority, appeared before the Board to review 2009 Senate Bill 180. Dr. Seaman’s presentation addressed the bill which outlines prescriptive authority for psychologists and that the Board would be required to handle specific details of requirements for necessary training in administrative rule-writing. Dr. Seaman also provided to the Board an update on legislative efforts in other states to grant psychologists prescriptive authority and possible barriers to those legislative efforts. Dr. Seaman noted in his presentation that there have been concerns raised about the lack of specifics in the existing bill on minimal educational requirements to attain the certificate, and these concerns will be addressed in a forthcoming Assembly version. The Board posed questions to Dr. Seaman and discussed issues related to this initiative.

MOTION: Cynthia Bagley moved, seconded by Erica Serlin, Ph.D., to support the effort for gaining prescriptive authority for Wisconsin psychologists as outlined in 2009 Senate Bill 180. Motion carried. Opposed: Gerald Hollander, Ph.D.

MOTION: Erica Serlin, Ph.D. moved, seconded by Cynthia Bagley, to delegate Bruce Erdmann, Ph.D. to speak on behalf of the Board at Senate or Assembly hearings relating to prescriptive authority for Wisconsin psychologists. Motion carried unanimously.

CALLS FOR NOMINATIONS OF ASPPB OFFICERS, ASPPB FELLOWS AND OTHER ASPPB AWARDS

The Board discussed appropriate candidates for ASPPB award nominations. No candidates for nominations were identified.

ASPPB REPORT

ASPPB's 24th Midyear Meeting, Boston MA, April 23 to 26, 2009

Jeff Scanlan reported to the Board regarding his experience at the ASPPB Midyear Meeting. A number of issues were highlighted such as mobility of licensure as well as the speed of technology and its relation to impact on regulation, tele-health and transference of electronic mental health records. Comments were provided by Stephen Seaman, WPA regarding an approach to the confidentiality of mental health records. The Board requested that the security of electronic mental health records be discussed at a future meeting.

REVIEW OF CORRESPONDENCE AND PHONE INQUIRIES BY LEGAL COUNSEL

None.

VISITOR'S COMMENTS

Sarah Bowen advised the Board of feedback she collected from the Wisconsin Internship Consortium relating to the establishment of standards for assessing education and/or training. It was noted that the Internship Consortium is developing standards for their own purposes but would be happy to share this information with the Board once established.

CLOSED SESSION

MOTION: Gerald Hollander, Ph.D. moved, seconded by Bruce Erdmann, Ph.D., to adjourn to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g), for the purpose of conducting oral interviews, reviewing monitoring requests, requests to extend practice, application reviews, consulting with Legal Counsel and Division of Enforcement case status reports. Roll Call Vote: Cynthia Bagley-yes; Don Crowder, Ph.D.-yes; Bruce Erdmann, Ph.D.-yes; Gerald Hollander, Ph.D.-yes; Erica Serlin, Ph.D.-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:14 a.m.

RECONVENE TO OPEN SESSION

MOTION: Erica Serlin, Ph.D. moved, seconded by Bruce Erdmann, Ph.D., to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 3:27 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF
VOTING IS APPROPRIATE**

MONITORING

**MILTON SILVA, PH.D.
REQUESTING REINSTATEMENT TO FULL LICENSURE**

Milton Silva, Ph.D., appeared before the Board with Attorney Robert J. Dvorak to answer questions regarding his request for full reinstatement of licensure.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Erica Serlin, Ph.D., to deny the request for reinstatement of full licensure submitted by Milton Silva, Ph.D. but modified the December 17, 1996 Order as follows:

- # 1 is removed.
- # 2 is modified to allow Dr. Silva to provide individual therapy while there is a health care professional on premises.
- # 3 is modified to reduce the number of hours, from forty (40) to twenty (20), Dr. Silva may practice psychology in a week.
- # 4 retain as is.
- # 5 Modify to delete specific subjects for psychotherapy and to require therapy during Dr. Silva's supervised practice.
- Add a limitation that Dr. Silva may not apply for full licensure until he has completed two (2) years of supervised practice.

Reason for Denial: The Board is setting these limitations because Dr. Silva has not practiced psychotherapy for twenty (20) years. Motion carried unanimously.

**DELIBERATION OF MONITORING THAT MAY BE RECEIVED AFTER MAILING
OF AGENDA**

None.

ORAL INTERVIEWS OF APPLICANTS – APPROVAL FOR LICENSURE

MOTION: Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to grant licensure to practice psychology to Michael Axelrod, Ph.D.; Lisa Baker, Psy.D.; Julie Cajolet, Psy.D.; Charlene Donovan, Ph.D.; Emily Ruth, Psy.D.; and Kimberly Skevren, Ph.D. Motion carried unanimously.

MOTION: Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to grant licensure to practice psychology to Shannon Clow, Psy.D. Motion carried. Abstained: Bruce Erdmann, Ph.D.

MOTION: Erica Serlin, Ph.D. moved, seconded by Bruce Erdmann, Ph.D., to grant licensure to practice school psychology to Amy Captain, School Psychologist and to Rita Schmitt, School Psychologist. Motion carried unanimously.

ADDITIONAL INFORMATION SUBMITTED FOR REVIEW

MOTION: Erica Serlin, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to accept the additional information submitted by Julia Cajolet, Psy.D. and Kimberly Skerven, Ph.D. Motion carried unanimously.

MOTION: Erica Serlin, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to accept the additional information submitted by Shannon Clow, Psy.D. Motion carried. Abstained: Bruce Erdmann, Ph.D.

ADDITIONAL INFORMATION SUBMITTED FOR APPLICATION REVIEWS RECEIVED AFTER THE MAILING OF THE AGENDA

None.

SUPERVISION REVIEWS RECEIVED AFTER MAILING OF AGENDA

None.

APPLICATION REVIEWS

BRIANNA BARTELS ROHRBECK, PH.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Brianna Bartels Rohrbeck, Ph.D. with a request to send a letter indicating that the Board expressed concerns about competence in the area(s) of consultation with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

JENNIFER COOPER, PH.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Jennifer Cooper, Ph.D. with a request to send a letter seeking a revised nature of intent to practice form and to indicate that the Board expressed concerns about competence in the area(s) of evaluation, psychological assessment, , consultation, group therapy, adults and preschool with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

DANIEL DAVIS, PH.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Daniel Davis, Ph.D. Motion carried unanimously.

MONIKA GUTKOWSKA, PH.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to send a letter indicating that the Board expressed concerns about Monika Gutkowska, Ph.D.'s competence in the area(s) of evaluation and requested additional information on various background elements, with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

RACHAEL HANSEN (SCHOOL PSYCHOLOGIST)

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Rachael Hansen, School Psychologist with a request to send a letter indicating that the Board expressed concerns about item number nine (9) on her scope of practice and how she will perform this activity in the context of the practice of school psychology, with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

SIGAN HARTLEY, PH.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Sigan Hartley, Ph.D. with a request to send a letter indicating that the Board expressed concerns about competence in the area(s) of therapy, preschool and adolescents with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

ERIC LARSON, PH.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Erica Serlin, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Eric Larson, Ph.D. with a request to send a letter indicating that the Board expressed concerns about competence in the area(s) of consultation, behavioral medicine, behavioral modification, biofeedback, custody evaluation, eating disorders, family therapy, hypnosis, children, adolescents, marital therapy, program evaluations with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

JOHN LARSON (SCHOOL PSYCHOLOGIST)

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview John Larson, School Psychologist. Motion carried unanimously.

DAWN NIXON, PSY.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Erica Serlin, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Dawn Nixon, Psy.D. with a request to send a letter indicating that the Board expressed concerns about competence in the area(s) of therapy, consultation, family therapy, preschool, adolescents, play therapy, children with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

MEGAN PIPER, PH.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Erica Serlin, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Megan Piper, Ph.D. with a request to send a letter indicating that the Board expressed concerns about competence in the area(s) of psychological assessment, family therapy, play therapy with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

CAROLE SRINIVASAN, PH.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Carole Srinivasan, Ph.D. Motion carried unanimously.

LINDA STONE, PH.D.

MOTION: Bruce Erdmann, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Linda Stone, Ph.D. with a request to send a letter indicating that the Board expressed concerns about competence in the area(s) of evaluation, assessment, consultation, eating disorders, family therapy, group therapy, children, marital therapy, program evaluation with an indication that there was no competency listed for a population to serve and a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

(Cynthia Bagley was excused at 3:26 p.m.)

APPLICATION REVIEWS OF APPLICATIONS RECEIVED AFTER THE MAILING OF BOARD'S AGENDA

None.

DELIBERATION OF PROPOSED STIPULATIONS SIGNED AFTER THE MAILING OF THE BOARD'S AGENDA

None.

DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS

09 PSY 008

MOTION: Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to issue an administrative warning in the matter of case number 09 PSY 008. Motion carried unanimously.

09 PSY 011

MOTION: Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to issue an administrative warning in the matter of case number 09 PSY 011. Motion carried unanimously.

09 PSY 012

MOTION: Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to issue an administrative warning in the matter of case number 09 PSY 012. Motion carried unanimously.

DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS SIGNED AFTER THE MAILING OF THE BOARD'S AGENDA

None.

DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS IN THE MATTER OF DISCIPLINARY PROCEEDINGS RECEIVED AFTER THE MAILING OF THE BOARD'S AGENDA

None.

DELIBERATION OF PETITIONS FOR REHEARINGS SIGNED AFTER THE MAILING OF THE BOARD'S AGENDA

None.

DIVISION OF ENFORCEMENT – CASE STATUS REPORT

08 PSY 027

MOTION: Erica Serlin, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to close case 08 PSY 027 for no violation. Motion carried. Abstained: Bruce Erdmann, Ph.D.

(Dr. Erdmann, Ph.D. left the room for the presentation and deliberation of the closing of case number 08 PSY 027)

09 PSY 005

MOTION: Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to close case 09 PSY 005 for no violation. Motion carried unanimously.

09 PSY 014

MOTION: Gerald Hollander, Ph.D. moved, seconded by Bruce Erdmann, Ph.D., to close case 09 PSY 014 for no violation. Motion carried unanimously.

09 PSY 010

MOTION: Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to close case 09 PSY 010 for no violation. Motion carried unanimously.

DOE SIGNATURES FOR ORDERS

Signatures were collected for all required documentation.

OTHER BOARD BUSINESS

None.

ADJOURNMENT

MOTION: Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D. to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:47 p.m.