

PSYCHOLOGY EXAMINING BOARD
MEETING MINUTES
MARCH 7, 2012

PRESENT: Rebecca Anderson, Ph.D.; Bruce Erdmann, Ph.D.; Daniel Schroeder, Ph.D.; Melissa Westendorf, J.D., Ph.D.

EXCUSED: Teresa Rose

STAFF: Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; Sharon Henes, Paralegal; and other Department Staff

GUESTS: Sarah Bowen, Wisconsin Psychological Association (WPA)

CALL TO ORDER

Bruce Erdmann, Ph.D., Chair, called the meeting to order at 9:16 a.m. A quorum of four (4) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

- Item “M-2” (open session) Under the agenda item titled: “M. Items Received After Printing of the Agenda; 2) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)” **ADD:**
 - a) Todd Hamilton (10 PSY 017) – *Presentation to occur after item “D” titled “Administrative Report”*
- Item “V-4” (closed session) Under the agenda item titled: “V. Deliberation of Items Received After Printing of the Agenda; 4) Proposed Stipulation(s), Final Decision(s) and Order(s)” **ADD:**
 - a) Todd Hamilton (10 PSY 017)
- Item “V-11” (closed session) Under the agenda item titled: “V. Deliberation of Items Received After Printing of the Agenda; 11) Education or Examination Matters” **ADD:**
 - a) 2009-2011 Psychologist Continuing Education Audit Compliance Report
- Item “V-18” (closed session) Under the agenda item titled: “V. Deliberation of Items Received After Printing of the Agenda; 18) Motions” **ADD:**
 - a) Motion for Order Designating that Decision of the Administrative Law Judge (ALJ) Constitute Final Decision of the Psychology Examining Board In the matter of Disciplinary Proceedings Against Daniel J. Goeckner

MOTION: Rebecca Anderson, Ph.D. moved, seconded by Melissa Westendorf, J.D., Ph.D., to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MEETING MINUTES OF FEBRUARY 8, 2012

MOTION: Daniel Schroeder, Ph.D. moved, seconded by Melissa Westendorf, J.D., Ph.D., to approve the minutes of February 8, 2012 as published. Motion carried unanimously.

ADMINISTRATIVE REPORT

Colleen Baird informed the Board that Dan Williams is unable to staff today’s meeting as he is on vacation.

PRESENTATION OF PROPOSED STIPULATION(S), FINAL DECISION(S) AND ORDER(S)

Susan Gu, Division of Enforcement Prosecuting Attorney, presented the Proposed Stipulation, Final Decision and Order in the matter of disciplinary proceedings against Todd Hamilton, Psy.D. (10 PSY 017). This matter will be deliberated during closed session proceedings.

(Bruce Erdmann, Ph.D., recused himself from this matter and left the room for the presentation of the Proposed Stipulation, Final Decision and Order in the matter of disciplinary proceedings against Todd Hamilton, Psy.D.)

9:05 A.M. APPEARANCE – AMANDA BARBIAN, OFFICE OF EDUCATION AND EXAMINATIONS: 2009-2011 PSYCHOLOGIST CONTINUING EDUCATION AUDIT COMPLIANCE REPORT

Amanda Barbian appeared before the Board to present the 2009-2011 Psychologist Continuing Education Audit Compliance Report. The Board reviewed and discussed the results of the audit compliance reports. Colleen Baird informed the Board that additional discussion will need to be conducted during closed session.

After the Board reconvened from closed session, the following action was taken.

MOTION: Melissa Westendorf, J.D., Ph.D. moved, seconded by Daniel Schroeder, Ph.D., to request that Department draft a scope statement to amend the continuing education requirement for licenses issued by the Board. Motion carried unanimously.

DISCUSSION AND REVIEW OF APPLICATION FORMS FOR PSYCHOLOGY LICENSURE

Bruce Erdmann, Ph.D., led the Board in a review of the draft application forms for psychology licensure. During review of the draft application forms revisions were identified. This topic will be continued at the April 2012 meeting.

DISCUSSION AND POSSIBLE ACTION REGARDING STREAMLINING OF THE LICENSURE PROCESS

1) Discussion Regarding the Oral Interview Process for Reciprocity Applicants

The Board discussed streamlining of the licensure process and its request for a scope statement to be drafted in its pursuit of elimination of the oral interview requirement.

Sharon Henes, Paralegal, joined the Board to discuss the status of scope statement drafting. Ms. Henes informed the Board that the scope statement is not complete as questions arose during drafting regarding other areas of the rules the Board may wish to include. Following discussion the Board decided not to expand the scope statement beyond what was specified at the February meeting. Department staff will draft a scope statement for review at the April meeting.

DISCUSSION: WHAT ARE THE BOUNDARIES FOR ISSUES TO WHICH THE BOARD WILL RESPOND OR WHAT ARE THE BOUNDARIES OF THE BOARD'S MISSION?

1) Board Review and Discussion as to the Board's Draft Boundary Statement

The Board deferred discussion of this topic in the interest of time.

DISCUSSION OF ELECTRONIC MEDICAL RECORDS AND CONFIDENTIALITY

The Board discussed electronic medical records and confidentiality and noted that it is important for the Board to be cognizant of such matters.

During the course of discussion Rebecca Anderson, Ph.D. volunteered to draft a resolution regarding the confidentiality of electronic medical records. The Board suggested that once finalized, the resolution should be provided to other boards under the purview of the Department, with a request for those boards to adopt this resolution. Sarah Bowen provided comments to the Board during discussion of this topic.

REVIEW OF THE PSYCHOLOGY EXAMINING BOARD RELATED PAGES OF THE DEPARTMENT WEBSITE INCLUDING FREQUENTLY ASKED QUESTION (FAQ) PAGES

At the February 2012 meeting the Board agreed to review the newly categorized Psychology practice FAQ page and provide feedback as needed. The Board agreed that changes are not needed and commended Kimberly Wood for her work in the application of the practice FAQ categories.

LEGISLATION/ADMINISTRATIVE RULE MATTERS:

- 1) **Board Review and Consideration of Adoption of Scope Statement for Proposed Amendments to Wis. Admin. Code. § PSY 2.09(4), Requiring Applicants to Appear Before the Board, and Wis. Admin. Code. § PSY 2.12(2), Addressing Licensure by Reciprocity**

The Board addressed this item under the topic titled “Discussion and Possible Action Regarding Streamlining of the Licensure Process; 1) Discussion Regarding the Oral Interview Process for Reciprocity Applicants”.

- 2) **2011 Senate Bill 450, Relating to the Collection of Workforce Survey Information from Health Care Providers**

Colleen Baird informed the Board of 2011 Senate Bill 450, relating to collection of workforce survey information from health care providers. She explained that this legislation will help to identify potential workforce deficiencies and access issues in different regions of the state.

Sharon Henes, Paralegal, was present for this discussion and informed the Board of the status of this legislation. The Board discussed 2011 SB 450 and informally offered cautionary support of this legislation.

DISCUSSION OF WISCONSIN STATUTES AND ADMINISTRATIVE CODES REGARDING THE POSSIBILITY OF ISSUING PROVISIONAL LICENSURE FOR POSTDOCTORAL EXPERIENCE – COLLEEN BAIRD, LEGAL COUNSEL

Colleen Baird reported to the Board regarding research she conducted per its request at the February 2012 meeting. She indicated that the Board would be unable to issue a temporary license while an applicant accrues postdoctoral experience under its existing code and statutes. The Board was advised that the pursuit of provisional licensure would require statutory authority and cannot be accomplished via administrative rule-making.

ITEMS RECEIVED AFTER PRINTING OF THE AGENDA

- 1) Presentations of Petition(s) for Summary Suspension – *None*
- 2) **Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)**
 - a) *Todd Hamilton, Psy.D. (10 PSY 017)*

The presentation of the above listed Proposed Stipulation, Final Decision and Order was added to the agenda after item “D. Administrative Matters”.

- 3) Presentation of Proposed Final Decision and Order(s) – *None*
- 4) Informational Item(s) – *None*
- 5) DOE Matters – *None*
- 6) Education and Examination Matters – *None*
- 7) Credentialing Matters – *None*
- 8) Practice Questions/Issues – *None*
- 9) Legislation/Administrative Rule Matters – *None*
- 10) Liaison Report(s) – *None*
- 11) Speaking Engagement(s), Travel, or Public Relation Request(s) – *None*

CLOSED SESSION

MOTION: Daniel Schroeder, Ph.D. moved, seconded by Melissa Westendorf, J.D., Ph.D., to convene 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: Rebecca Anderson, Ph.D.-yes; Bruce Erdmann, Ph.D.-yes; Daniel Schroeder, Ph.D.-yes; and Melissa Westendorf, J.D., Ph.D. Motion carried unanimously.

The Board convened into Closed Session at 11:52 a.m.

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Daniel Schroeder, Ph.D. moved, seconded by Rebecca Anderson, Ph.D., to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 3:19 p.m.

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

MOTION: Melissa Westendorf, J.D., Ph.D. moved, seconded by Daniel Schroeder, Ph.D., to reaffirm all motions made in closed session. Motion carried unanimously.

**REVIEW OF ADDITIONAL INFORMATION REQUESTED OF
APPLICANTS FOR LICENSURE**

MOTION: Melissa Westendorf, J.D., Ph.D. moved, seconded by Rebecca Anderson, Ph.D., to accept the additional information submitted by Margaret Bloom, Ph.D., Shauna Fuller*, Ph.D., Pamela Kaczmarek*, Psy.D., David Marx*, Psy.D., Kristin Miles*, Psy.D., Uliana Skibicky, Ph.D. Motion carried unanimously.

(* Denotes review information provided at the meeting.)

**ORAL INTERVIEW OF APPLICANTS FOR LICENSURE
FINAL APPROVAL FOR LICENSURE**

MOTION: Melissa Westendorf, J.D., Ph.D. moved, seconded by Rebecca Anderson, Ph.D., to grant licensure to practice psychology to Margaret Bloom, Ph.D., Shauna Fuller, Ph.D., Pamela Kaczmarek, Psy.D., Athena Lickel, Ph.D., David Marx, Psy.D., Kristin Miles, Psy.D., Uliana Skibicky, Ph.D., Manbeena Sekhon, Ph.D. Motion carried unanimously.

MOTION: Melissa Westendorf, J.D., Ph.D. moved, seconded by Daniel Schroeder, Ph.D., to grant licensure to practice psychology to, Patrick Finn, Psy.D. Motion carried. Recused: Bruce Erdmann, Ph.D.

(Bruce Erdmann, Ph.D. recused himself from deliberation and voting in the application matter of Patrick Finn, Psy.D.)

REVIEW OF APPLICATIONS FOR LICENSURE

LORI ANSARI, PSY.D.

MOTION: Melissa Westendorf, J.D., Ph.D. moved, seconded by Daniel Schroeder, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Lori Ansari, Psy.D. Motion carried unanimously.

MARIA ARCILA DUNCAN, PH.D.

MOTION: Daniel Schroeder, Ph.D. moved, seconded by Rebecca Anderson, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Maria Arcila Duncan, Ph.D. Motion carried unanimously.

COURTNEY ENDRES, PSY.D.

MOTION: Melissa Westendorf, J.D., Ph.D. moved, seconded by Daniel Schroeder, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Courtney Endres, Psy.D., and to request further clarification in the following areas: documentation of competency in eating disorders and competency examinations, 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.

DANIELLE SHALLCROSS, PSY.D.

MOTION: Daniel Schroeder, Ph.D. moved, seconded by Melissa Westendorf, J.D., Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Danielle Shallcross, Psy.D., and to request further clarification in the following areas: explanation of how Ms. Shallcross completed twenty-six (26) continuing education hours in one (1) day, 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.

KATHERINE THOMAS, PSY.D.

MOTION: Melissa Westendorf, J.D., Ph.D. moved, seconded by Rebecca Anderson, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Katherine Thomas, Psy.D. Motion carried unanimously.

DELIBERATION OF ITEMS RECEIVED AFTER PRINTING OF THE AGENDA

- 1) Application Issues and/or Reviews – *None*
- 2) Professional Assistance Procedure (PAP) – *None*
- 3) Monitoring Matters – *None*
- 4) **Proposed Stipulations, Final Decisions and Orders**
 - a. **Todd Hamilton, Psy.D. (10 PSY 017)**

The Board was unable to act upon this item due to insufficient quorum resulting from the recusal of Bruce Erdmann, Ph.D.

- 5) Administrative Warnings – *None*
- 6) Orders Fixing Costs/Matters Related to Costs – *None*
- 7) Proposed Final Decisions and Orders – *None*
- 8) Petitions for Summary Suspension – *None*
- 9) Petitions for Re-hearings – *None*
- 10) Case Closings – *None*

- 11) **Education or Examination Matters**
a. 2009-2011 Psychologist Continuing Education Audit Compliance Report

Colleen Baird addressed the Board regarding a legal issue relating to continuing education compliance and the audit for the 2009-2011 biennium. The Board reviewed specific licensees who were subject of this audit. The Board took action as outlined below.

MOTION: Daniel Schroeder, Ph.D. moved, seconded by Rebecca Anderson, Ph.D., to direct Legal Counsel to identify the continuing education requirements, for public announcement, including posting to the website, and authorizing Melissa Westendorf, J.D., Ph.D., to approve the draft on behalf of the Board. Motion carried unanimously.

MOTION: Melissa Westendorf, Ph.D. moved, seconded by Daniel Schroeder, Ph.D., to refer any licensees that have not completed forty (40) hour continuing education requirement for the 2009-2011 biennium, to the Division of Enforcement, per the report titled "2009-2011 Continuing Education Audit Compliance Report". Motion carried unanimously.

- 12) Review Additional Information Requested of Applicants for Licensure – *None*
13) Oral Interviews of Applicants for Licensure – Final Approval for Licensure – *None*
14) Review of Applications for Licensure – *None*
15) Supervision Reviews – *None*
16) Credential Issues – *None*
17) Appearances from Requests Received or Renewed – *None*
18) **Motions**
a. Motion for Order Designating that Decision of the Administrative Law Judge (ALJ) Constitute Final Decision of the Psychology Examining Board In the Matter of Disciplinary Proceedings Against Daniel J. Goeckner

MOTION: Daniel Schroeder, Ph.D. moved, seconded by Melissa Westendorf, J.D., Ph.D., to deny the Motion for Order Designating that Decision of the ALJ Constitute Final Decision of the Psychology Examining Board in the matter of disciplinary proceedings against Daniel J. Goeckner. Motion carried unanimously.

CONSULTING WITH LEGAL COUNSEL

Legal Counsel, Colleen Baird, was available for consultation throughout the duration of closed session.

DIVISION OF ENFORCEMENT

Case Status Report

The Board reviewed a report detailing its pending enforcement cases.

ADJOURNMENT

MOTION: Daniel Schroeder, Ph.D. moved, seconded by Rebecca Anderson, Ph.D., to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:21 p.m.