



**VIRTUAL/TELECONFERENCE
PSYCHOLOGY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
September 28, 2022**

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of July 13, 2022 (4-6)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition
- E. Administrative Matters**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Desmonde, Marcus P. – 7/1/2021
 - b. Greene, John N. – 7/1/2023
 - c. Jinkins, Mark A. – 7/1/2022
 - d. Schroeder, Daniel A. – 7/1/2019
 - e. Sorce, Peter I. – 7/1/2020
 - f. Thompson, David W. – 7/1/2022
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (7)**
 - 1) Pending or Possible Rulemaking Projects (8)
- H. Association of State and Provincial Psychology Boards (ASPPB) Matters – Discussion and Consideration
- I. Speaking Engagements, Travel, or Public Relation Requests, and Reports**
 - 1) Consideration of Travel: Association of State and Provincial Psychology Boards (ASPPB) Board Chairs and Directors Meeting (January 2023)
- J. COVID-19 – Discussion and Consideration

- K. Deliberation on Items Added After Preparation of Agenda:
- 1) Introductions, Announcements and Recognition
 - 2) Nominations, Elections, and Appointments
 - 3) Administrative Matters
 - 4) Election of Officers
 - 5) Appointment of Liaisons and Alternates
 - 6) Delegation of Authorities
 - 7) Education and Examination Matters
 - 8) Credentialing Matters
 - 9) Practice Matters
 - 10) Legislative and Administrative Rule Matters
 - 11) Liaison Reports
 - 12) Board Liaison Training and Appointment of Mentors
 - 13) Informational Items
 - 14) Division of Legal Services and Compliance (DLSC) Matters
 - 15) Presentations of Petitions for Summary Suspension
 - 16) Petitions for Designation of Hearing Examiner
 - 17) Presentation of Stipulations, Final Decisions and Orders
 - 18) Presentation of Proposed Final Decisions and Orders
 - 19) Presentation of Interim Orders
 - 20) Petitions for Re-Hearing
 - 21) Petitions for Assessments
 - 22) Petitions to Vacate Orders
 - 23) Requests for Disciplinary Proceeding Presentations
 - 24) Motions
 - 25) Petitions
 - 26) Appearances from Requests Received or Renewed
 - 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

L. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

M. Deliberation on Department of Legal Services and Compliance (DLSC) Matters

- 1) Proposed Stipulations, Final Decisions and Orders
 - a. 21 PSY 009 – John R Briggs, Psy. D. **(9-14)**

N. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings

- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

O. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

P. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

Q. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT DATE: NOVEMBER 9, 2022

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer at 608-266-2112, or the Meeting Staff at 608-266-5439.

**PSYCHOLOGY EXAMINING BOARD
MEETING MINUTES
JULY 13, 2022**

PRESENT: Marcus Desmonde, Psy.D.; Mark Jinkins (*disconnected at 10:51 a.m.*); Daniel Schroeder, Ph.D.; Peter Sorce; David Thompson, Ph.D.

EXCUSED: John Greene, Ph.D.

STAFF: Brad Wojciechowski, Executive Director; Jameson Whitney, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Kimberly Wood, Program Assistant Supervisor-Adv.; and other Department Staff

CALL TO ORDER

Daniel Schroeder, Chairperson, called the meeting to order at 9:02 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

MOTION: Peter Sorce moved, seconded by David Thompson, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 27, 2022

MOTION: Mark Jinkins moved, seconded by Peter Sorce, to approve the Minutes of April 27, 2022 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Review Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Screening Panel	Professional Members: John Greene, David Thompson Public Members (Rotation): Peter Sorce <i>(Jan./Apr./Jul./Sept./Dec.)</i> Mark Jinkins <i>(Feb./Jun./Aug./Nov.)</i>

**SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION
REQUESTS, AND REPORTS**

**Consideration of Attendance: Association of State and Provincial Psychology Boards
(ASPPB) Annual Meeting – October 26-30, 2022 – National Harbor, MD**

MOTION: Mark Jenkins moved, seconded by David Thompson, to authorize Daniel Schroeder and Peter Sorce to attend the ASPPB Annual Meeting on October 26-30, 2022 in National Harbor, MD. The Board also authorizes John Greene to attend if he is available. Motion carried unanimously.

CLOSED SESSION

MOTION: Peter Sorce moved seconded by Mark Jenkins, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Daniel Schroeder, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Marcus Desmonde-yes; Mark Jenkins-yes; Daniel Schroeder-yes; Peter Sorce-yes; and David Thompson-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:13 a.m.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND
COMPLIANCE MATTERS**

Administrative Warnings

21 PSY 009 – J.R.B.

MOTION: David Thompson moved, seconded by Peter Sorce, not to issue an Administrative Warning in the matter of J.R.B., DLSC Case Number 21 PSY 009, and to refer the case back to DLSC. Motion carried unanimously.

Case Closings

20 PSY 015 – D.D.E., C.C.D.

MOTION: Mark Jenkins moved, seconded by Peter Sorce, to close DLSC Case Number 20 PSY 015, against D.D.E. and C.C.D., for Insufficient Evidence. Motion carried unanimously.

21 PSY 003 – D.D.E., C.C.D.

MOTION: David Thompson moved, seconded by Mark Jenkins, to close DLSC Case Number 21 PSY 003, against D.D.E. and C.C.D., for Insufficient Evidence. Motion carried unanimously.

22 PSY 011 – A.C.S.

MOTION: Peter Sorce moved, seconded by David Thompson, to close DLSC Case Number 22 PSY 011, against A.C.S., for Prosecutorial Discretion (P1). Motion carried unanimously.

(Mark Jenkins was disconnected from the meeting at 10:50 a.m.)

RECONVENE TO OPEN SESSION

MOTION: Peter Sorce moved, seconded by David Thompson, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 10:51 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: David Thompson moved, seconded by Peter Sorce, to affirm all motions made and votes taken in closed session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

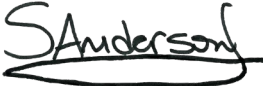
ADJOURNMENT

MOTION: David Thompson moved, seconded by Peter Sorce, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:53 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Sofia Anderson, Administrative Rules Coordinator		2) Date when request submitted: 9/15/2022 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Psychology Examining Board			
4) Meeting Date: September 28, 2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rules Matters – Discussion and Consideration: 1. Pending and possible rulemaking projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: 1. Rule projects chart.			
11) Authorization			
		9/15/2022	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**Psychology Examining Board
Rule Projects (updated 9/15/2022)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause/Synopsis	Current Stage	Next Step
21-080	060-21	12/21/2023	Psy 1, 2, and 4 (permanent)	Legislative Update (2021 WI Act 22). Act 22 creates requirements for a new interim psychologist license; modifies the conditions for the supervised psychological experience requirement; and clarifies the terms of the temporary practice for out of state providers. Also includes updates to chapter Psy 1 in order to comply with current standards of practice; and implements the reciprocal credential requirements for service members, former service members, and their spouses in accordance to 2019 Wisconsin Act 143.	Legislative Review	Rule was submitted to the Legislature on May 19, 2022. Legislature will review it once they are back in session in January 2023.
21-016	130-20	4/12/2023	Psy 1, 2, and 5	Telehealth. This rule will include a definition of telehealth, and specify psychologists are to hold a Wisconsin license in order to diagnose and treat patients located in Wisconsin and are held to the same standards of conduct regardless of whether the services are provided in person or by telehealth.	Final rule and legislative report submitted to Governor's Office on May 24, 2022.	Once Governor approves, final rule will be submitted to the Legislature.