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**VIRTUAL/TELECONFERENCE  
PSYCHOLOGY EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Brad Wojciechowski (608) 266-2112  
February 21, 2024**

*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 January 17, 2024 (4-7)**
- 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. Schroeder, Daniel A. – 7/1/2019
    - d. Small, John – 7/1/2024
    - e. Sorce, Peter I. – 7/1/2020
    - f. Thompson, David W. – 7/1/2022
- F. Legislative and Policy Matters – Discussion and Consideration (8-18)**
  - 1) 2023 Wisconsin Assembly Bill 541 and 2023 Wisconsin Senate Bill 515
- G. Administrative Rule Matters – Discussion and Consideration (19-20)**
  - 1) Pending and possible rulemaking projects (20)
- H. Speaking Engagements, Travel, or Public Relation Requests, and Reports- Discussion and Consideration**
  - 1) ASPPB Mid-Year Meeting, April 25-April 28, 2024
- I. Association of State and Provincial Psychology Boards (ASPPB) Matters – Discussion and Consideration**
- J. Education and Examination Matters – 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) Public Health Emergencies
  - 11) Legislative and Administrative Rule Matters
  - 12) Liaison Reports
  - 13) Board Liaison Training and Appointment of Mentors
  - 14) Informational Items
  - 15) Division of Legal Services and Compliance (DLSC) Matters
  - 16) Presentations of Petitions for Summary Suspension
  - 17) Petitions for Designation of Hearing Examiner
  - 18) Presentation of Stipulations, Final Decisions and Orders
  - 19) Presentation of Proposed Final Decisions and Orders
  - 20) Presentation of Interim Orders
  - 21) Petitions for Re-Hearing
  - 22) Petitions for Assessments
  - 23) Petitions to Vacate Orders
  - 24) Requests for Disciplinary Proceeding Presentations
  - 25) Motions
  - 26) Petitions
  - 27) Appearances from Requests Received or Renewed
  - 28) 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. DLSC Matters

- 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: APRIL 3, 2024**

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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, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE  
PSYCHOLOGY EXAMINING BOARD  
MEETING MINUTES  
JANUARY 17, 2024**

**PRESENT:** John Greene, Ph.D., David Thompson, Ph.D., Daniel Schroeder, Ph.D., John Small, Peter Sorce

**EXCUSED:** Marcus Desmonde, Psy.D.

**STAFF:** Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Tracy Drinkwater, Board Administration Specialist; and other Department Staff

**CALL TO ORDER**

Daniel Schroeder, Chairperson, called the meeting to order at 9:01 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 NOVEMBER 8, 2023**

**MOTION:** David Thompson moved, seconded by Peter Sorce, to approve the November 8, 2023, as published. Motion carried unanimously.

**9:00 A.M. PUBLIC HEARING – CLEARINGHOUSE RULE 23-064 PSY 1 TO 6,  
RELATING TO PSYCHOLOGY LICENSURE COMPACT**

**Review Public Hearing Comments and Clearinghouse Report**

**MOTION:** David Thompson moved, seconded by John Greene, to accept all Clearinghouse comments for Clearinghouse Rule CR #23-064 (PSY 1 to 6), relating to psychology licensure compact. Motion carried unanimously.

**MOTION:** Peter Sorce moved, seconded by John Greene, to authorize the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to review and approve the Legislative Report and Draft for Clearinghouse Rule 23-064 (PSY 1 to 6), relating to Psychology Licensure Compact, for submission to the Governor's Office and Legislature. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers**

### *Slate of Officers*

**NOMINATION:** Peter Sorce nominated the 2023 slate of officers to continue in 2024. All officers accepted their nominations.

Brad Wojciechowski, Executive Director, called for nominations three (3) times.

The Slate of Officers was elected by unanimous voice vote.

ELECTION RESULTS	
<b>Chairperson</b>	Daniel Schroeder
<b>Vice Chairperson</b>	Marcus Desmonde
<b>Secretary</b>	David Thompson

### Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
<b>Credentialing Liaison(s)</b>	John Greene, Marcus Desmonde, Daniel Schroeder, David Thompson
<b>Continuing Education Liaison(s)</b>	Marcus Desmonde <i>Alternates:</i> John Greene
<b>Monitoring Liaison(s)</b>	David Thompson <i>Alternates:</i> John Small
<b>Professional Assistance Procedure (PAP) Liaison(s)</b>	Marcus Desmonde <i>Alternate:</i> John Small
<b>Legislative Liaison(s)</b>	John Greene, Marcus Desmonde, Daniel Schroeder, Peter Sorce, David Thompson <i>Alternate:</i>
<b>Travel Authorization Liaison(s)</b>	Daniel Schroeder <i>Alternates:</i> Peter Sorce
<b>Screening Panel</b>	<b>Professional Members:</b> John Greene, David Thompson <b>Public Members (Rotation):</b> Peter Sorce ( <i>odd months</i> ) John Small ( <i>even months</i> )

## **Delegation of Authorities**

### **Review and Approval of 2023 Delegations**

**MOTION:** John Small moved, seconded by David Thompson, to reaffirm all delegation motions from 2023 as reflected in the agenda materials. Motion carried unanimously.

### **Document Signature Delegations**

**MOTION:** John Greene moved, seconded by Peter Sorce, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director, Board Counsel, or DPD Division Administrator, the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

### ***Monitoring Delegations***

#### **Delegation of Authorities for Monitoring**

**MOTION:** Peter Sorce moved, seconded by John Small, to adopt the “Roles and Authorities Delegated for Monitoring” document presented in the January 17, 2024, agenda materials. Motion carried unanimously.

#### **Delegation to Department Attorneys to Approve Duplicate Legal Issue**

**MOTION:** David Thompson moved, seconded by Peter Sorce, to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues. Motion carried unanimously.

## **LEGISLATIVE AND POLICY MATTERS**

### **2023 Wisconsin Assembly Bill 541 / 2023 Wisconsin Senate Bill 515**

**MOTION:** Peter Sorce moved, seconded by John Greene, to designate David Thompson as the legislative liaison to work with DSPS staff on matters related to Assembly Bill 541. Motion carried unanimously.

## **ADMINISTRATIVE RULE MATTERS**

### **Scope Statement: Psy 2, relating to temporary practice.**

**MOTION:** Peter Sorce moved, seconded by David Thompson, to approve the Scope Statement revising Psy 2, relating to temporary practice, for submission to

the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

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

#### **Consider Attendance: ASPPB Mid-Year Meeting, April 25-April 28, 2024**

**MOTION:** David Thompson moved, seconded by John Greene, to designate Peter Sorce as the voting delegate and John Greene as the alternate to attend the ASPPB Mid-Year Meeting, April 25-April 28, 2024, in Boston, MA. Motion carried unanimously.

### **ADJOURNMENT**

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

The meeting adjourned at 10:37 a.m.



## 2023 ASSEMBLY BILL 541

October 18, 2023 - Introduced by Representatives GUSTAFSON, DITTRICH, KITCHENS, MAGNAFICI, MURPHY, MURSAU, O'CONNOR, ROZAR, SCHMIDT and WICHGERS, cosponsored by Senators CABRAL-GUEVARA, BALLWEG, BRADLEY, FEYEN and MARKLEIN. Referred to Committee on Health, Aging and Long-Term Care.

1     **AN ACT to create** 440.18 of the statutes; **relating to:** provision of telehealth  
2           services by out-of-state health care providers.

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### *Analysis by the Legislative Reference Bureau*

This bill provides that no mental health care provider may be required to be licensed, registered, certified, or otherwise approved to practice in this state to provide mental health services by telehealth to patients located in this state if the mental health care provider satisfies certain conditions, including: 1) the mental health care provider is licensed, registered, certified, or otherwise approved to practice in the state that the provider is physically present in when providing telehealth services; 2) the mental health care provider may provide telehealth services in this state within the scope of his or her license, registration, certification, or approval from the state from which the mental health care provider is providing telehealth services; and 3) the mental health care provider informs the patient whether the provider is licensed in this state, what state he or she is providing telehealth services from, what states in which he or she is licensed, registered, certified, or otherwise approved to practice, and which regulatory boards the patient may contact to file a complaint. Under the bill, "mental health care provider" means a physician, physician assistant, psychologist, registered professional nurse, counselor, therapist, or social worker who, by education, training, and experience, is qualified to provide mental health services to patients. Under current law, "telehealth" means a practice of health care delivery, diagnosis, consultation, treatment, or transfer of medically relevant data by means of audio, video, or data communications that are used either during a patient visit or a consultation or are



**ASSEMBLY BILL 541**

used to transfer medically relevant data about a patient, and includes asynchronous telehealth services, interactive telehealth, and remote patient monitoring.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 440.18 of the statutes is created to read:

2           **440.18 Telehealth by out-of-state mental health care providers.** (1) In  
3 this section, “mental health care provider” means a physician, physician assistant,  
4 psychologist, registered professional nurse, counselor, therapist, or social worker  
5 who, by education, training, and experience, is qualified to provide mental health  
6 services to patients.

7           (2) Notwithstanding chs. 440 to 480, no mental health care provider may be  
8 required to be licensed, registered, certified, or otherwise approved to practice in this  
9 state to provide mental health services by telehealth to patients located in this state  
10 if the mental health care provider satisfies all of the following:

11           (a) The mental health care provider is licensed, registered, certified, or  
12 otherwise approved to practice in the state that the provider is physically present in  
13 when providing telehealth services.

14           (b) The mental health care provider may provide telehealth services in this  
15 state within the scope of his or her license, registration, certification, or approval  
16 from the state from which the mental health care provider is providing telehealth  
17 services.

18           (c) The mental health care provider’s license, registration, certification, or  
19 approval from the state from which the mental health care provider is providing  
20 telehealth services is not limited and the mental health care provider is not currently

**ASSEMBLY BILL 541****SECTION 1**

1 under investigation for any allegations of unprofessional conduct in the state from  
2 which the mental health care provider is providing telehealth services.

3 (d) The mental health care provider provides services within the scope of his  
4 or her license, registration, certification, or approval from the state from which the  
5 mental health care provider is providing telehealth services, consistent with any  
6 regulations applicable to the provision of telehealth services in that state.

7 (e) The mental health care provider informs the patient whether the provider  
8 is licensed in this state, what state he or she is providing telehealth services from,  
9 what states in which he or she is licensed, registered, certified, or otherwise approved  
10 to practice, and which regulatory boards the patient may contact to file a complaint.

11 (3) This section does not apply to any individual who holds a compact license  
12 under s. 448.980.

13

(END)







## 2023 SENATE BILL 515

October 16, 2023 - Introduced by Senators CABRAL-GUEVARA, BALLWEG, BRADLEY, FEYEN and MARKLEIN, cosponsored by Representatives GUSTAFSON, DITTRICH, KITCHENS, MAGNAFICI, MURPHY, MURSAU, O'CONNOR, ROZAR, SCHMIDT and WICHGERS. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

1     **AN ACT to create** 440.18 of the statutes; **relating to:** provision of telehealth  
2           services by out-of-state health care providers.

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### *Analysis by the Legislative Reference Bureau*

This bill provides that no mental health care provider may be required to be licensed, registered, certified, or otherwise approved to practice in this state to provide mental health services by telehealth to patients located in this state if the mental health care provider satisfies certain conditions, including: 1) the mental health care provider is licensed, registered, certified, or otherwise approved to practice in the state that the provider is physically present in when providing telehealth services; 2) the mental health care provider may provide telehealth services in this state within the scope of his or her license, registration, certification, or approval from the state from which the mental health care provider is providing telehealth services; and 3) the mental health care provider informs the patient whether the provider is licensed in this state, what state he or she is providing telehealth services from, what states in which he or she is licensed, registered, certified, or otherwise approved to practice, and which regulatory boards the patient may contact to file a complaint. Under the bill, “mental health care provider” means a physician, physician assistant, psychologist, registered professional nurse, counselor, therapist, or social worker who, by education, training, and experience, is qualified to provide mental health services to patients. Under current law, “telehealth” means a practice of health care delivery, diagnosis, consultation, treatment, or transfer of medically relevant data by means of audio, video, or data communications that are used either during a patient visit or a consultation or are

**SENATE BILL 515**

used to transfer medically relevant data about a patient, and includes asynchronous telehealth services, interactive telehealth, and remote patient monitoring.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 440.18 of the statutes is created to read:

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8 required to be licensed, registered, certified, or otherwise approved to practice in this  
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10 if the mental health care provider satisfies all of the following:

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13 when providing telehealth services.

14           (b) The mental health care provider may provide telehealth services in this  
15 state within the scope of his or her license, registration, certification, or approval  
16 from the state from which the mental health care provider is providing telehealth  
17 services.

18           (c) The mental health care provider’s license, registration, certification, or  
19 approval from the state from which the mental health care provider is providing  
20 telehealth services is not limited and the mental health care provider is not currently

**SENATE BILL 515**

1 under investigation for any allegations of unprofessional conduct in the state from  
2 which the mental health care provider is providing telehealth services.

3 (d) The mental health care provider provides services within the scope of his  
4 or her license, registration, certification, or approval from the state from which the  
5 mental health care provider is providing telehealth services, consistent with any  
6 regulations applicable to the provision of telehealth services in that state.

7 (e) The mental health care provider informs the patient whether the provider  
8 is licensed in this state, what state he or she is providing telehealth services from,  
9 what states in which he or she is licensed, registered, certified, or otherwise approved  
10 to practice, and which regulatory boards the patient may contact to file a complaint.

11 (3) This section does not apply to any individual who holds a compact license  
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13

(END)



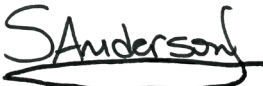






**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Sofia Anderson, Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 02/09/2024 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
<b>3) Name of Board, Committee, Council, Sections:</b> Psychology Examining Board			
<b>4) Meeting Date:</b> February 21, 2024	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Administrative Rules Matters – Discussion and Consideration: 1. Pending and possible rulemaking projects	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> Attachments: 1. Rule projects chart.			
<b>11) Authorization</b>  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">   <hr/>                 Signature of person making this request             </div> <div style="text-align: right;">                 02/09/2024  <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 60%;"> <hr/>                 Supervisor (if required)             </div> <div style="width: 30%;"> <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 70%;"> <hr/>                 Executive Director signature (indicates approval to add post agenda deadline item to agenda)             </div> <div style="width: 25%;"> <hr/>                 Date             </div> </div>			
<b>Directions for including supporting documents:</b> 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 02/09/2024)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause/Synopsis	Current Stage	Next Step
	019-23	9/27/2025	Psy 1 to 6	<p><b>Implementation of Psychology Licensure Compact.</b> The objective of this rule is to implement the statutory changes from 2021 Wisconsin Act 131, which establishes Wisconsin as a member of the Psychology Interjurisdictional Compact or PSYPACT.</p>	<p>Final Rule Draft and Legislative Report approved by Governor on February 8, 2024, and submitted to the Legislature on February 12, 2024.</p>	<p>Legislative Review.</p>
			Psy 2	<p><b>Temporary Practice.</b> The objective of this rule project is to review the temporary practice requirements in chapter Psy 2 pursuant s. 455.03, Stats. The Board might consider revising this section to provide clearer guidelines for out-of-state providers wanting to practice temporarily in Wisconsin.</p>	<p>Scope published in the February 12, 2024, Administrative Register.</p>	<p>At least 10 days after publication, scope can be implemented.</p>