

MS Board of Psychology

**Board Meeting
June 3, 2022
Virtual Meeting via Zoom**

<u>Board Attendance</u>		<u>Present</u>	<u>Absent</u>
Molly Clark, Ph.D., Credentialing Coordinator	2018- 2023	X	
Chris Cumbest, M.Div, Public Member	2021-2027	X	
Penni Foster, Ph.D.	2021-2026	X	
Kaye Sly, Ph.D.	2021-2026	X	
Monica Sutton, Ph.D., Executive Secretary	2017-2022	X	
Lynwood Wheeler, Ph.D., CE Coordinator	2018-2023	X	
Lisa Yazdani, Ph.D., Chair	2019-2024		X

Also Present:

Alexis Morris, Esq., Special Assistant Attorney General
Stacie Sharp, Executive Director

Call to Order:

Dr. Sutton called the meeting to order at 10:29 am and reported presiding over the meeting in the absence of Dr. Yazdani. She called for amendments to the agenda. An email from Dr. Natalie Gaughf related to the Rules and Regulations were added to the agenda by Dr. Clark. Dr. Wheeler asked that discussion regarding the Mississippi statute for universal recognition of occupational licenses be added to the agenda for new business.

Review and Approval of Minutes:

Dr. Clark motioned, seconded by Dr. Wheeler, to approve the May 6, 2022, Minutes with no corrections. The motion passed unanimously with all in attendance participating in the vote.

Executive Session:

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Dr. Clark made the motion to enter into closed determination session to consider the need to enter into Executive Session. Dr. Wheeler seconded the motion to consider the need to enter into Executive Session. The motion passed unanimously with all in attendance participating in the vote.

In accordance with Miss. Code Ann. §25-41-7(1), Dr. Clark moved to consider going into Executive Session for the purposes of discussing applications for licensure and complaints against licensees. Dr. Wheeler seconded the motion to go into Executive Session for the purposes of discussing applications for licensure and complaints against licensees. Miss. Code Ann. §24-41-7(3), (5). The motion passed unanimously with all in attendance participating in the vote.

Actions taken during Executive Session:

Dr. Foster reported that the following actions took place during Executive Session:

Complaints:

Dr. Sutton recommended that the following complaints be closed: 220201 and 220202. She reported that the subjects of complaints were sent cease and desist letters and that they complied. Dr. Clark moved to accept Dr. Sutton's recommendation, and Dr. Wheeler seconded the motion. The motion passed unanimously with all in attendance participating in the vote.

Candidate Status/Status of Applications:

Dr. Wheeler recommended the following applicants who successfully passed the Oral Examination for licensure: Hallie Jordan. Dr. Clark moved to accept Dr. Wheeler's recommendation, and Mr. Cumbest seconded the motion. The motion passed unanimously with all in attendance participating in the vote.

Dr. Wheeler and Dr. Sutton recommended the following applicants who did not pass the Oral Examination not be granted licensure at this time: 20210720, 20200422, 20220112, 20201008, 20220102. Dr. Clark moved to accept Dr. Wheeler's and Dr. Sutton's recommendations, and Mr. Cumbest seconded the motion. The motion passed unanimously with all in attendance participating in the vote. It was reported that candidates will be notified of the recommendations and that they are allowed to retake the Oral Examination.

Dr. Sutton reported that applicant 2021073 did not present for or attend the scheduled Oral Examination. Ms. Sharp reported that she notified the candidate that she missed the examination and she should contact the Board.

Dr. Clark recommended the following applicants to be approved to take the EPPP: 20220127. Dr. Wheeler moved to accept this recommendation, and Mr. Cumbest seconded. The motion passed unanimously with all in attendance participating in the vote.

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Dr. Clark recommended the following applicants for the Oral Examination: 20210914, 20220329, 20200212, 20211221. Dr. Wheeler moved to ratify Dr. Clark's recommendation, and Mr. Cumbest seconded. The motion passed unanimously with all in attendance participating in the vote.

Dr. Clark reported that applicant 20210305 requested to change the date of the Oral Examination to November 2022.

Dr. Clark recommended the following applicants for Temporary Practice Permit: David Ray Wilkins II, Philip A Norfolk. Dr. Wheeler moved to ratify Dr. Clark's recommendation, and Mr. Cumbest seconded the motion. The motion passed unanimously with all in attendance participating in the vote.

Dr. Clark recommended the following applicants for Temporary Practice Certificate: Ana Adelstein (licensed in Canada and NC), Kimberly Christine Koessel (licensed in WA and MI). Mr. Cumbest moved to ratify Dr. Clark's recommendation, and Dr. Wheeler seconded. The motion passed unanimously with all in attendance participating in the vote.

Dr. Clark recommended applicant Racha Raouf-Sadek Fares for a temporary license. Dr. Wheeler moved to accept this recommendation, and Mr. Cumbest seconded the motion. The motion passed unanimously with all in attendance participating in the vote.

Old Business:

Telehealth Registration Update

The Board discussed the Mississippi State Department of Health's Minimum Standards of Operation for the Practice of Telemedicine. Ms. Morris reported that further research indicated that individual licensees are not required to give notice by registration for telemedicine with the Department of Health. She reported that this registration is only for businesses recognized by the Secretary of State's office or owners of these businesses.

Update on Rules and Regulations (Public Comments)

It was reported by Dr. Clark that the window for public comments on the posted proposed revisions to the Rules and Regulations was closed on May 13, 2022. Dr. Clark reported that Dr. Mardi Allen submitted comments on the proposed revisions to the Rules and Regulations. The submitted comments were reviewed, considered, and discussed by the Board. Dr. Clark recommended ratification of the following responses to Dr. Allen's comments, with a motion to accept by Dr. Sly. The motion was seconded by Dr. Wheeler. The motion passed unanimously with all in attendance participating in the vote.

Comments (Underlined) and Response

Rule 8.1 Disciplinary Action

Changing the word "charges" to "complaint," on the surface seems logical, but in reality it is concerning. Apparently, upon receipt of any/all notarized allegations in

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the board office will automatically classify them as “official complaints” rather than charges that are sent to the board on a request for investigation form. This change may compel psychologists to report having had a board complaint regardless of the results of the investigative committee’s findings.

The previous verbiage is a bit weird but it served a purpose. Perhaps the board’s AG council has a different opinion now. Previously accusations of ethical or legal violations proffered by anyone was not automatically classified as a “complaint.” The board is responsible to complete a thorough investigation to weed out frivolous, unfounded or allegations filed in bad faith. If the investigation substantiates the allegations and the board accepts the recommendation of the investigative committee to move forward; then will the “charges” becomes an official Board complaint against the psychologist. At that point the psychologist involved must acknowledge having a “complaint” with the appropriate entities (insurance carrier /professional panel/boards.)

The change in the word "charges" to "complaint" is consistent with all internal and website verbiage. Regarding the concern about licensees reporting complaints, the questions in the Board’s jurisdiction and other jurisdictions are related not to "complaints" but to disciplinary actions. Therefore, it is not anticipated that this would increase any acknowledgements of an unfounded/meritless "complaint."

Civil Commitment Certification

Rule 9.2 A. Eligibility

Deleting the specific requirements for applicants for civil commitment certification returns the Board to making arbitrary decisions regarding eligibility. Rules and Regs are to clarify the statutes and ensure consistent board decisions.

The only change was to wording and did not change the requirements. In order to have a license in Mississippi, one must meet the criteria for a license, which is internship and educational requirements, and be competent in terms of coursework/education. Therefore, changes made did not impact the eligibility or lessen requirements.

Rule 9.3, 9.4, 9.5

If there is no board member with civil commitment expertise establishing a consultant relationship with a non-member to “assists” the Credentialing Coordinator is a good option, per review of board minutes. However, to relinquish the board’s responsibility to a non-board member to independently make decisions and correspond directly with licensed psychologists seems questionable as to appropriateness and legal defensibility.

Related....

Rules 1.1 and 1.2 officers & duties of members

Civil Commitment Coordinator is neither listed as an officer nor the duties are specifically assigned to a member of the board, however the position is referred to in

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Rule 9 with specific duties. The Credentialing Coordinator is responsible for coordinating the professional evaluation functions of the board. The logical assumption is that the professional evaluation of psychologists seeking civil commitment certification would also fall within the duties of the Credentialing Coordinator member of the board as does licensure.

It appears that these comments are not related to proposed changes, but reference Board minutes.

There are several other changes I would find interesting as to the rationale. Perhaps others have covered those changes in their comments.

No specific changes were identified in the comment in order for rationale(s) to be provided.

I didn't find any clarification for the implementation of the universal licensure statute in the revised R/R.

Given that legislation can be amended or changed, a general statement was made that the Board will comply with legislation specified for the practice of psychology.

Sorry my comments are submitted at the last minute. I may have missed it but I didn't see any notice on the MPA list-serv about the revisions or if there was an open hearing about the changes. I know the Board of Psychology always makes an effort to be transparent and solicit input from the psychology community and the public.

The Board complied with the Secretary of State's guidelines for how proposed revisions should be disseminated. In addition, the Board reported proposed changes in a presentation at the MPA annual convention in September of 2021, which was above what was required by the Secretary of State's office. The Board meetings are open meetings, and anyone may attend at any time.

Dr. Clark presented an email from Dr. Natalie Gaughf to the Board regarding the process for public posting and comments of proposed revisions to the Rules and Regulations. The feedback from Dr. Gaughf was discussed and reviewed. The Board reviewed the process and noted that the process was adherent to the guidelines of the Mississippi Office of the Secretary of State, that proposed revisions were publicly posted for comment in a manner consistent with those guidelines, that proposed revisions were presented at the MPA annual convention in September of 2021, and that revisions have been discussed at open meetings of the Board.

Dr. Wheeler motioned to move forward with the final filing of the revisions to the Rules and Regulations, which was seconded by Dr. Sly. The motion passed unanimously with all in attendance participating in the vote.

MPA Presentation by the Board

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Dr. Clark motioned to approve the purchase of bags for participants at the MPA annual convention in September 2022. Dr. Wheeler seconded the motion. The motion passed unanimously with all in attendance participating in the vote.

Dr. Clark reported that the Board is scheduled to hold an open meeting at the MPA annual convention during September 28-30, 2022, in Hattiesburg, MS. It was discussed that the Board is not scheduled to give a CE presentation at the convention.

Regarding civil commitment training at the MPA annual convention, Dr. Foster proposed that the Board contact Dr. Steve Ellis regarding his interest in voluntarily providing this training given his expertise in the area. Dr. Sutton agreed to contact Dr. Ellis.

New Business:

Public Protection and Licensing

Dr. Wheeler reported concerns regarding public protection related to the statute for universal recognition of occupational licensing and the practice of psychology. Dr. Sutton recommended that Dr. Wheeler, Dr. Clark, Dr. Foster, and Mr. Cumbest serve on a task force to consider this issue. Dr. Clark motioned to accept the recommendation, and Dr. Wheeler seconded. The motion passed unanimously with all in attendance participating in the vote.

Self-Scheduling Module for Oral Exams in LMS

Dr. Clark reported that resources in the amount of \$1,600 to add a self-scheduling module for oral examinations in the LMS system would be beneficial. Dr. Wheeler motioned to allow funds in this amount for the addition to the LMS system. Mr. Cumbest provided a second to the motion. The motion passed unanimously with all in attendance participating in the vote.

Alexis Morris exited the meeting at 11:52 am.

Adjourn:

Dr. Wheeler moved to adjourn the meeting. The motion was seconded by Dr. Clark. The motion passed unanimously with all in attendance participating in the vote. The meeting adjourned at 12:10 pm.

Respectfully Submitted

Penni Foster, PhD
Recording Secretary

June 3, 2022