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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF PSYCHOLOGY  
VIA VIDEOCONFERENCE**

TIME: 10:35 A.M.

April 12, 2021

State Board of Psychology  
April 12, 2021

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BOARD MEMBERS:

- Richard F. Small, Ph.D., Chairman
- K. Kalonji Johnson, Commissioner, Bureau of Professional and Occupational Affairs
- Catherine S. Spayd, Ph.D., Vice Chair
- Katherine Bradley, Ph.D., Secretary
- Vito J. DonGiovanni, Psy.D.
- Steven K. Erickson, Ph.D.
- LaJewel Harrison, MBA, Public Member
- Dean C. Maynard, Ed.D., Public Member - Absent
- Donald McAleer, Psy.D.

BUREAU PERSONNEL:

- Jaime D. Black, Esquire, Board Counsel
- Nathan C. Giunta, Esquire, Board Prosecution Liaison
- Chris Stuckey, Board Administrator
- Theodore Stauffer, Executive Secretary, Bureau of Professional and Occupational Affairs

1 \*\*\*

2 State Board of Psychology

3 April 12, 2021

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
6 9:00 a.m. the Board entered into Executive Session  
7 with Jaime D. Black, Esquire, Board Counsel, to have  
8 attorney-client consultation and for the purpose of  
9 conducting quasi-judicial deliberation regarding the  
10 items on today's agenda. The Board went into open  
11 session at 10:30 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Psychology was held on Monday, April 12,  
15 2021. Richard F. Small, Ph.D., Chairman, called the  
16 meeting to order at 10:35 a.m.

17 Katherine Bradley, Ph.D., Secretary, and K.  
18 Kalonji Johnson, Commissioner, Bureau of Professional  
19 and Occupational Affairs, were not present during  
20 commencement of the meeting.

21 \*\*\*

22 Introduction of Board Members

23 [Chairman Small requested Board members introduce  
24 themselves.]

25 \*\*\*

1 Approval of minutes of the February 8, 2021 meeting

2 CHAIRMAN SMALL:

3                   The first order of business is approval  
4                   of the minutes. Does anybody have any  
5                   questions, comments, additions?

6 [The Board discussed corrections to the minutes.]

7 DR. DONGIOVANNI:

8                   With that correction, I move for  
9                   acceptance.

10 DR. MCALEER:

11                   Second.

12 CHAIRMAN SMALL:

13                   All in favor? Opposed?

14 [The motion carried unanimously.]

15   \*\*\*

16 Report of Board Prosecution

17 [Nathan C. Giunta, Esquire, Board Prosecution Liaison,  
18 presented the Consent Agreement for Case No. 20-63-  
19 011007.]

20   \*\*\*

21 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
22 10:50 a.m. the Board entered into Executive Session  
23 with Jaime D. Black, Esquire, Board Counsel, for the  
24 purpose of conducting quasi-judicial deliberations and  
25 to receive advice regarding the items on today's

1 agenda. The Board returned to open session at 11:01  
2 a.m.]

3 \*\*\*

4 [Jaime D. Black, Esquire, Board Counsel, announced  
5 that the Board meeting was being recorded, and those  
6 who remained in the meeting were giving consent to be  
7 recorded.]

8 MS. BLACK:

9                   Regarding item 2, the Consent Agreement  
10                   and Order, Case No. 20-63-011007.

11                   I believe the Board would entertain  
12                   a motion to reject the Consent Agreement  
13                   and Order based on being too lenient.

14 DR. SPAYD:

15                   So moved.

16 DR. DONGIOVANNI:

17                   Second.

18 CHAIRMAN SMALL:

19                   All in favor? Opposed?

20 [The motion carried unanimously.]

21 \*\*\*

22 Report of Board Counsel

23 [Jaime D. Black, Esquire, Board Counsel, addressed  
24 House Bill 729, which would prohibit mental health  
25 professionals from engaging in conversion therapy with

1 an individual under the age of 18. She stated the  
2 proposed legislation cites data and support from ten  
3 different professional associations, including the  
4 American Psychological Association, American  
5 Psychiatric Association, and the American Academy of  
6 Child & Adolescent Psychiatry.

7 Ms. Black noted the bill included information on  
8 the Task Force on Appropriate Therapeutic Responses to  
9 Sexual Orientation convened by the American  
10 Psychological Association. She stated the Task Force  
11 conducted a review of peer-reviewed general literature  
12 on sexual orientation change efforts and issued a  
13 report in 2009.

14 Ms. Black commented that the Task Force concluded  
15 that sexual orientation change efforts can pose  
16 critical health risks to lesbian, gay, and bisexual  
17 people. She stated the American Psychological  
18 Association (APA) issued a resolution advising  
19 parents, guardians, young people, and their families  
20 to avoid sexual orientation change efforts that  
21 portray homosexuality as a mental illness or  
22 developmental disorder and to seek psychotherapy,  
23 social support, and education services.

24 Ms. Black also noted the bill additionally cites  
25 a position statement by the American Psychiatric

1 Association in March 2000, which stated that  
2 psychotherapeutic modalities to convert or repair  
3 homosexuality are based on developmental theories  
4 whose scientific validity is questionable.

5 Ms. Black mentioned that according to the data  
6 provided in the proposed bill, in the last four  
7 decades, reparative therapists have not produced any  
8 rigorous scientific research to substantiate their  
9 claims of cure; therefore, the American Psychiatric  
10 Association opposes any psychiatric treatment, such as  
11 reparative or conversion therapy, based upon the  
12 assumption that homosexuality is a mental disorder.

13 Ms. Black informed the Board that the proposed  
14 legislation included an article published in 2012 by  
15 the American Academy of Child & Adolescent Psychiatry,  
16 which stated that clinicians should be aware that  
17 there is no evidence that sexual orientation can be  
18 altered through therapy and that attempts to do so may  
19 be harmful.

20 Ms. Black stated the legislation would apply to  
21 mental health professionals defined as an individual  
22 who is licensed, certified, or otherwise authorized to  
23 administer or provide professional mental health care  
24 or counseling under the Professional Psychologists  
25 Practice Act; the Medical Practice Act; and the Social

1 Workers, Marriage and Family Therapists, and  
2 Professional Counselors Act. It was referred to the  
3 Health Committee on March 3, 2021.

4 Chairman Small questioned whether it would be  
5 appropriate for the Board to have an opinion to  
6 provide to the legislature. Ms. Black explained that  
7 the Board would participate in a bill analysis if the  
8 bill progressed toward enactment and advised if  
9 members wanted to provide their opinions now that it  
10 would have be in their individual capacity.

11 Ms. Black addressed House Bill 681, which would  
12 prohibit the enforcement of covenants not to compete  
13 in health care practitioner employment agreements.  
14 She stated the bill would apply to health care  
15 practitioners as defined by the Health Care Facilities  
16 Act, which includes an individual who is authorized to  
17 practice some component of the healing arts by a  
18 license, permit, certificate, or registration issued  
19 by a Commonwealth licensing agency or Board. She  
20 noted the bill was referred to the Health Committee on  
21 February 26, 2021.

22 Ms. Black informed the Board that the Bureau of  
23 Professional and Occupational Affairs received reports  
24 that persons pretending to be from one of the health-  
25 related boards were contacting licensees by phone and



1 mail regarding the status of their licenses. She  
2 stated the scammers are altering their information  
3 that reflect the caller ID to appear as though they  
4 are from the Commonwealth of Pennsylvania.

5 Ms. Black also noted the scammers are threatening  
6 license suspension for failure to act and falsely  
7 claiming involvement with the Federal Bureau of  
8 Investigation (FBI) and the Drug Enforcement  
9 Administration (DEA). She provided reminders from  
10 BPOA concerning contact and personal information for  
11 licensees and applicants to follow.

12 Ms. Black mentioned that those who are the  
13 subject of an investigation or disciplinary action,  
14 will receive notice by certified mail and/or personal  
15 service and provided with a contact name and phone  
16 number. She informed everyone to contact their local  
17 police department or the State Police if they have  
18 been a victim of the scam. She noted a link on the  
19 Department of State's website under professional  
20 licensing to view the scam alert.

21 Dr. McAleer questioned whether it is appropriate  
22 for the Board to forward the announcement to the  
23 professional associations to make their members aware  
24 of it on their website.

25 Ms. Black noted that to be appropriate and

1 offered to provide the word document but also  
2 suggested taking it off the State's website.]

3 \*\*\*

4 Report of Board Administrator

5 MS. BLACK:

6                   Regarding items 9, 10, and 16, the Board  
7                   is directing the Board administrator to  
8                   send a letter based on discussions in  
9                   executive session.

10                   I believe the Board would entertain  
11                   a motion to accept the Supervised  
12                   Experience of items 11 through 15 and 17  
13                   for Melanie Felicia Levitt, Psy.D.,  
14                   Andre Joseph Plate, Ph.D., Daniel  
15                   Michael Yost, Psy.D., Elizabeth Anne  
16                   Bennett, Ph.D., Sara Garavuso, Psy.D.,  
17                   and Richard Persuad Shur, Psy.D.

18 DR. DONGIOVANNI:

19                   So moved.

20 DR. ERICKSON:

21                   Second.

22 CHAIRMAN SMALL:

23                   All in favor? Opposed?

24 [The motion carried unanimously.]

25 \*\*\*

1 MS. BLACK:

2 I believe the Board would entertain a  
3 motion to accept the Application to  
4 Practice Psychology for Persons Licensed  
5 in Other States at item 8, Dana Gadaire,  
6 Psy.D.

7 DR. SPAYD:

8 I'll make that motion.

9 DR. MCALEER:

10 Second.

11 CHAIRMAN SMALL:

12 All in favor? Opposed?

13 [The motion carried unanimously.]

14 \*\*\*

15 [Katherine Bradley, Ph.D., Secretary, entered the  
16 meeting at 11:12 a.m.]

17 \*\*\*

18 MS. BLACK:

19 Moving on to the Applications for  
20 Approval of Corporate or Fictitious  
21 Name.

22 I believe the Board would entertain  
23 a motion to approve the corporate or  
24 fictitious names for items 18 through 24  
25 of Mental Health Success Boost, LLC;

1           Behavior and Learning Solutions, LLC;  
2           Inquiry Psychological Services;  
3           Pediatric Psychology Center of Chester  
4           County LLC, Heartwood Psychological  
5           Assessments, LLC; Physis Associates, and  
6           Cold Mountain Counseling LLC.

7 DR. MCALEER:

8           So moved.

9 DR. DONGIOVANNI:

10           Second.

11 CHAIRMAN SMALL:

12           All in favor? Opposed?

13 [The motion carried unanimously.]

14                                   \*\*\*

15 Correspondence

16 MS. BLACK:

17           I believe the Board would entertain a  
18           motion to provisionally deny the request  
19           by Dayton R. Walsh, Ph.D., to waive  
20           taking the PPLE at item 26.

21 DR. ERICKSON:

22           So moved.

23 DR. SPAYD:

24           Second.

25 CHAIRMAN SMALL:

1 All in favor? Opposed?

2 [The motion carried unanimously.]

3 \*\*\*

4 MS. BLACK:

5 I believe the Board would entertain a  
6 motion to grant the request by Michael  
7 Kelley, Ph.D., to obtain CEs for  
8 teaching ABA 650: Applied Behavior  
9 Analysis II at item 27.

10 DR. MCALEER:

11 So moved.

12 DR. DONGIOVANNI:

13 Second.

14 CHAIRMAN SMALL:

15 All in favor? Opposed?

16 [The motion carried unanimously.]

17 \*\*\*

18 Report of Board Chairman

19 [Richard F. Small, Ph.D., Chairman, announced the  
20 Pennsylvania Psychological Association (PPA) is going  
21 to have another virtual conference this year but no  
22 need for the Board to provide a presentation.

23 Dr. McAleer and Ms. Black will soon be presenting  
24 at the PPA Doctoral Summit.

25 Chairman Small addressed his attendance at the

1 Association of State and Provincial Psychology Boards  
2 (ASPPB) 2021 Midyear Meeting. He mentioned a bit of  
3 controversy expressed among board chairs, where ASPPB  
4 is not responsive to the membership and dictate more  
5 than listen, particularly on the Examination for  
6 Professional Practice in Psychology (EPPP).

7 Chairman Small mentioned boards in other states  
8 have similar problems, including residency and  
9 fighting against programs that are barely accredited  
10 or not accredited. He noted many of the issues with  
11 COVID exceptions and non-APA applicants had been  
12 resolved. He discussed licensure by endorsement in  
13 other states and believed ASPPB desired that a model  
14 be adopted by the different states.

15 Chairman Small stated APA was experiencing strong  
16 pressure to come up with an option to hold on to a  
17 master's level psychologist who are otherwise getting  
18 licensed as a licensed professional counselor (LPC)  
19 and had a two-day summit related to the value of the  
20 doctoral degree.

21 Chairman Small noted that an observer who  
22 attended the summit said APA never mentioned the word  
23 value of the doctoral degree even though that was  
24 supposedly the purpose, and the feeling was there is a  
25 lot of pressure on getting these master's in as

1 opposed to looking at what does a doctoral degree add  
2 beyond a master's degree.

3 Chairman Small noted discussion concerning  
4 threats made to members.

5 Ms. Harrison discussed outbreak sessions at  
6 ASPPB, where they were able to speak with members from  
7 other states to get an idea of how they governed and  
8 what new rules were being planned. She noted it to be  
9 beneficial if ASPPB collected best practices and  
10 placed them on their website or sent out quarterly  
11 reports on new or innovative practice that a state is  
12 doing that other states could join.

13 Dr. Spayd addressed the legal update of the  
14 presentation, where the attorney discussed the impact  
15 of COVID last year and making a distinction between  
16 executive orders. She also noted discussion regarding  
17 the use of free speech becoming more common for  
18 respondents in professional cases.

19 Dr. Spayd addressed variability among states  
20 concerning the acceptance of an anonymous complaint or  
21 not and questioned whether Pennsylvania accepted the  
22 same.

23 Mr. Giunta explained that Prosecution reviews  
24 each anonymous complaint and forwards them for  
25 investigation. He noted that every ounce of contact

1 is sometimes made up, and there is no way to verify or  
2 bring a witness in or support the allegations. He  
3 commented that a full investigation is still performed  
4 to the best of their ability. He noted that sometimes  
5 anonymous also means a person will give their  
6 information but do not want to appear for a hearing.

7 Ms. Harrison mentioned a concern that came up in  
8 the group, where they were recreating their board  
9 because it had been disbanded by a previous governor  
10 and questioned whether Pennsylvania laws allow for  
11 that. Ms. Black explained that the Board is created  
12 through an act, so there would have to be legislation  
13 passed in order to repeal it.

14 Dr. McAleer noted ASPPB discussion concerning  
15 changes and adjustments as a result of COVID and  
16 residency requirements and issues the Board may have  
17 to deal with in the future when many of the  
18 universities went to virtual learning.

19 Dr. McAleer also mentioned face-to-face  
20 supervision versus telehealth and the importance of  
21 the documentation required by the applicants if these  
22 issues happened as a result of COVID and executive  
23 orders.

24 Dr. McAleer noted discussions regarding the  
25 validity of EPPP, noting ASPPB believed there are true



1 threats against licensure and the regulation of all  
2 professions. He noted ASPPB identified the patchwork  
3 of state-by-state regulations that really call into  
4 question the integrity of the practice of psychology  
5 and all that goes into that including education and  
6 training.

7 Dr. McAleer mentioned ASPPB is trying to be the  
8 repository of central approach for education and  
9 training of supervision and for the EPPP Part 1  
10 concerning knowledge demonstration and EPPP Part 2  
11 concerning competency of one's skill set. He stated  
12 ASPPB is in the process of a yearlong internal review  
13 and self-study to try to make them more of an  
14 appreciated and valued organization.

15 Chairman Small mentioned an article in *American*  
16 *Psychologist* that knocked the EPPP terribly, noting a  
17 response that was limited to 1000 words that ASPPB  
18 made and then a rejoinder from the authors of the  
19 original article. He stated the self-examination was  
20 fascinating, because it was not just the perception of  
21 people outside but sometimes the perception of people  
22 from the various boards and whether they are  
23 receptive.

24 Chairman Small addressed an issue among board  
25 chairs, where Pennsylvania is not requiring EPPP-2 but

1 an individual might move back to another state that is  
2 requiring it, and ASPPB will not allow you to take the  
3 course due to security. He stated the board chairs  
4 were all in agreement as to why a few more would  
5 compromise the security when others were already  
6 taking it. He commented that ASPPB is going to take  
7 that into consideration after receiving letters from  
8 some of the board members.

9 Dr. McAleer noted the importance of each  
10 profession demonstrating its competency, knowledge  
11 base, and consistency in terms of training models  
12 being consistent from state to state, which makes it  
13 harder to argue that they are capricious and  
14 arbitrary.

15 Chairman Small stated COVID created exceptions  
16 governors have given, including allowing all  
17 continuing education CE to be online. He mentioned  
18 being careful with matters like the residency  
19 requirement, where a presenter stated individuals  
20 could not get the residency through no fault of their  
21 own. He commented that through no fault of their own  
22 is totally irrelevant to protecting the public and  
23 believed there would be a lot of opposition.]

24 \*\*\*

25 [K. Kalonji Johnson, Commissioner, Bureau of

1 Professional and Occupational Affairs, entered the  
2 meeting at 11:41 a.m.]

3 \*\*\*

4 Report of Commissioner

5 [K. Kalonji Johnson, Commissioner, Bureau of  
6 Professional and Occupational Affairs, commented on  
7 participating in an informational meeting with the  
8 House Professional Licensure Committee with respect to  
9 House Bill 19, which would provide for licensure of  
10 the Board-certified behavior analyst. He stated the  
11 Department provided their position of not being in  
12 support of House Bill 19 because of the provisions in  
13 the bill related to the good moral character language  
14 as well as the requirement for an advisory committee  
15 within the Board directed to address the provision of  
16 licensure for behavior analysts.

17 Commissioner Johnson noted speaking to the policy  
18 concerns with regard to ensuring that licensure for  
19 this specialization did not deleteriously affect the  
20 individuals that practice for those professions and  
21 also provide for applied behavior analyst (ABA) or  
22 applied behavior analysis.

23 Dr. DonGiovanni requested an update on when  
24 restrictions may be lifted. Commissioner Johnson  
25 noted there had been no formal announcement lifting

1 restrictions in time for the next scheduled meeting.  
2 He mentioned that some restrictions were lifted with  
3 respect to travel but not Board-specific travel. He  
4 stated employees are still encouraged to perform  
5 duties remotely via telework when possible and this  
6 would extend to Board members. He did note that  
7 associations are starting to converge again.

8 Dr. McAleer questioned whether some hearings were  
9 starting to be in person. Ms. Black explained that  
10 hearings were initially being scheduled virtually but  
11 individuals could motion to have it conducted in  
12 person. She mentioned seeing an Order for the Board  
13 scheduling it in person and stated she could reach out  
14 to the Office of Hearing Examiners for direction on  
15 the status of in-person vs virtual hearings.

16 Dr. Spayd questioned whether there was any  
17 discussion in Pennsylvania about changing legislation  
18 to have online virtual meetings.

19 Commissioner Johnson stated the Policy Office has  
20 been engaged in tracking all of the emergency  
21 provisions and conducting a comprehensive analysis of  
22 regulatory suspensions put into place over the last 12  
23 months. All will be informed of a developed technique  
24 to take the best qualities of the virtual meetings and  
25 merge them with returning to work.]

1 \*\*\*

2 Discussion Items

3 [Jaime D. Black, Esquire, Board Counsel, referred to  
4 correspondence from Mariann Burnetti-Atwell, Psy.D.,  
5 Chief Executive Officer, ASPPB regarding EPPP for the  
6 Board's review.

7 Dr. McAleer volunteered to take the EPPP Part 2,  
8 so he could report back on it but had not been able to  
9 take it after contacting ASPPB several times.

10 Chairman Small noted it should be part of the  
11 self-examination of why sometimes people feel ASPPB is  
12 a big bureaucratic nonresponsive organization. He  
13 noted it took over 6 months for him to sign up with  
14 the Psychology Interjurisdictional Compact (PSYPACT)  
15 and to get that actually completed.]

16 \*\*\*

17 Upcoming Hearings

18 [Jaime D. Black, Esquire, Board Counsel, announced a  
19 hearing regarding an application case at the end of  
20 the month.

21 Ms. Black thanked Dr. Spayd for volunteering to  
22 provide a wellness presentation to the legal staff at  
23 the Department of State at a spring education  
24 conference.]

25 \*\*\*

1 Adjournment

2 CHAIRMAN SMALL:

3 Does anybody want to move to adjourn?

4 DR. DONGIOVANNI:

5 So moved.

6 DR. MCALEER:

7 Second.

8 CHAIRMAN SMALL:

9 All in favor? Opposed? The meeting is  
10 adjourned.

11 [The motion carried unanimously.]

12 \*\*\*

13 [There being no further business, the State Board of  
14 Psychology Meeting adjourned at 11:56 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Psychology meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Psychology meeting.



Kelly Gallick,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF PSYCHOLOGY  
REFERENCE INDEX

April 12, 2021

	TIME	AGENDA
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7		
8	9:00	Executive Session
9	10:30	Return to Open Session
10		
11	10:35	Official Call to Order
12		
13	10:35	Introduction of Board Members
14		
15	10:36	Approval of Minutes
16		
17	10:37	Report of Prosecutorial Division
18		
19	10:50	Executive Session
20	11:01	Return to Open Session
21		
22	11:02	Report of Board Counsel
23		
24	11:10	Report of Board Administrator
25		
26	11:13	Correspondence
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28	11:15	Report of Board Chairman
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30	11:42	Report of Commissioner
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32	11:50	Discussion Items
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34	11:54	Upcoming Hearings
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36	11:56	Adjournment
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