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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
CONDUCTED VIA VIDEOCONFERENCE**

TIME: 10:45 A.M.

October 5, 2020

State Board of Psychology
October 5, 2020

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.
Dean C. Maynard, Ed.D. (Public Member)
Donald McAleer, Psy.D.

BUREAU PERSONNEL:

Jackie Wiest Lutz, Esquire, Board Counsel
Nathan C. Giunta, Esquire, Board Prosecution Liaison
Chris Stuckey, Board Administrator
Cynthia Montgomery, Esquire, Deputy Chief Counsel
Theodore Stauffer, Legal Assistant/Executive
Secretary, Bureau of Professional and Occupational
Affairs

ALSO PRESENT:

Dr. Salvatore Cullari

1 ***

2 State Board of Psychology

3 August October 5, 2020

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 Jackie Wiest Lutz, Esquire, Board Counsel, for
8 the purpose of conducting quasi-judicial deliberations
9 on a number of matters that are currently pending
10 before the Board and to receive advice of Counsel.
11 The Board began open session at 10:45 a.m.]

12 ***

13 The regularly scheduled meeting of the State
14 Board of Psychology was held on Monday, October 5,
15 2020. Richard F. Small, Ph.D., Chairman, called the
16 meeting to order at 10:45 a.m.

17 ***

18 Approval of Minutes of the August 3, 2020 meeting

19 CHAIRMAN SMALL:

20 Does anybody have any
21 corrections/comments on the minutes?

22 DR. DONGIOVANNI:

23 I'll move for acceptance.

24 DR. MCALEER:

25 Second.

1 CHAIRMAN SMALL:

2 All in favor? Opposed?

3 [The motion carried unanimously.]

4 ***

5 Report of Board Counsel

6 [Nathan Guinta, Esquire, Board Prosecution Liaison,
7 and Allan Tepper, Esquire, Counsel for Respondent,
8 were present for the discussion pertaining to a
9 Consent Agreement and Order at File No. 17-63-04738.]

10 MS. LUTZ:

11 Is there anyone in the position to make a
12 motion with respect to this Consent
13 Agreement?

14 DR. MAYNARD:

15 For the record are they removing the last
16 sentence in paragraphs 5 and 6(a)?

17 MS. LUTZ:

18 Will you be removing the last sentences
19 in paragraphs 5 and 6(a) that are
20 included in there?

21 DR. TEPPER:

22 Yes, I would agree and I imagine the
23 Commonwealth has to agree also. Yes, I
24 would agree that paragraph five, the last
25 line, that says additionally, and

1 paragraph 6(a) the last line, that says
2 additionally, I am in agreement that they
3 be removed from the agreement.

4 MS. LUTZ:

5 With the removal of that terminology from
6 the Consent Agreement is there anyone, at
7 this time, in a position to make a motion
8 with respect to approving or disapproving
9 the Consent Agreement at File No. 17-63-
10 04738.

11 DR. MAYNARD:

12 I make a motion to approve.

13 DR. DONGIOVANNI:

14 Second.

15 Chairman Small:

16 Opposed?

17 [The motion carried. Dr. Spayd opposed the motion.]

18 The Respondent's name is Michael Lee Stefanov, Ph.D.

19

20

21 Regulations

22 [K. Kalonji Johnson, Commissioner, Bureau of
23 Professional and Occupational Affairs, and Cynthia
24 Montgomery, Esquire, Deputy Chief Counsel, presented
25 before the Board. Commissioner Johnson commended

1 Board members for making sure the timely obligation
2 for discussion of Act 53 is met.

3 Commissioner Johnson discussed, in his capacity
4 as Commissioner, scheduling public hearings to
5 publicly engage members of the business community
6 about the proposed lists of criminal convictions that
7 would be applicable to licensing determinations. He
8 stated this forum was provided for these business
9 members to discuss any questions or concerns about the
10 list.

11 Deputy Chief Counsel Montgomery provided further
12 information about the list. She indicated that under
13 Section 3117 of Act 53 of 2020 it was the duty of the
14 Commissioner to publish this list of convictions that
15 may constitute grounds to refuse to issue, suspend or
16 revoke a license, registration or permit. As a
17 subset, the list included those directly related to
18 the trade, occupation or profession.

19 Ms. Montgomery stated the list has been
20 disseminated to this Board's list of interested
21 parties and stakeholders, including associations,
22 individuals, and educational institutions. She
23 indicated the only comment the Board received was from
24 a prior Board member who stated that organized crime
25 should be added to the list. Ms. Montgomery added

1 that after the list was put out, the Board was asked
2 to revise them to specifically identify the crimes
3 that are directly related to the profession versus
4 those that are impacted under Sections 3112 (d), (e)
5 and (f).

6 Dr. Salvatore Cullari inquired as to whether
7 organized crime should be added, and further inquired
8 as to the definition of "professional licenses" as
9 listed under 18 Pa. C.S. §3022 on the list. Ms. Lutz
10 referred to the Crimes Code for further explanation of
11 that definition.

12 Dr. Erickson inquired if his understanding that
13 one could commit murder and obtain a professional
14 license, but if a sexual assault was committed, one
15 would never be able to obtain licensure as a
16 healthcare provider in the Commonwealth of
17 Pennsylvania under the statute was correct. Ms. Lutz
18 noted that is what is indicated in the statute. There
19 was further explanation offered.

20 Board members held additional discussion with
21 regard to including organized crime on its list of
22 criminal offenses. Chairman Small noted for the
23 record that no Board members objected. Those members
24 of the audience online were asked to comment. It was
25 noted there were no other questions or comments.

1 Commissioner Johnson stated for the record that
2 invitations to attend this meeting were also sent to
3 stakeholders representing various community legal
4 services and affiliated organizations as well,
5 including Secretary Brandon Flood of the Board of
6 Pardons and no comments were received back from his
7 office.]

8 COMMISSIONER JOHNSON:

9 I would then make a formal motion to
10 finalize the list as stated for the
11 record pending the editorial changes by
12 Counsel for this Board's review.

13 CHAIRMAN SMALL:

14 Do we have a second?

15 DR. MCALEER:

16 Second.

17 CHAIRMAN SMALL:

18 All in favor? Opposed?

19 [The motion carried unanimously.]

20 ***

21 MOTIONS

22 MS. LUTZ:

23 Item No. 5 on the agenda is a Blanket
24 Delegation Order. Is there a motion to
25 delegate all immediate temporary

1 suspension cases to a Hearing Examiner of
2 the Bureau of Professional and
3 Occupational Affairs to conduct a hearing
4 and issue a Final Order in accordance
5 with the General Rules of Administrative
6 Practice and Procedure?

7 DR. MCALEER:

8 So moved.

9 COMMISSIONER JOHNSON:

10 Second.

11 CHAIRMAN SMALL:

12 All in favor? Opposed?

13 [The motion carried unanimously.]

14 ***

15 MS. LUTZ:

16 Regarding Item No. 12, is there a motion
17 with respect to the Application for
18 Approval to Sit for the Psychology
19 Licensing Examinations of Ayse Cici
20 Gokaltun, Ph.D.?

21 DR. DONGIOVANNI:

22 I was under the impression you were
23 asking for more information from Dr.
24 Gokaltun.

25 MS. LUTZ:

1 I think we were approving her to take the
2 exams. We're going to need additional
3 experience so we can give her a license.
4 But in order to take the exams, she was
5 being approved.

6 DR. DONGIOVANNI:

7 Given that, I will make a motion to
8 approve.

9 DR. SPAYD:

10 Second.

11 CHAIRMAN SMALL:

12 All in favor? Opposed?

13 [The motion carried unanimously.]

14 ***

15 MS. LUTZ:

16 The next item on the agenda, Item No. 13,
17 involves Dr. Shaw. Is there a motion to
18 deny the Application to Practice
19 Psychology for Persons Licensed In Other
20 States of Jo Shaw, Ph.D.?

21 DR. BRADLEY:

22 I'll make a motion.

23 DR. MAYNARD:

24 I'll second.

25 CHAIRMAN SMALL:

1 All in favor? Opposed?

2 [The motion carried unanimously.]

3 ***

4 MS. LUTZ:

5 Is there a motion with respect to Item
6 No. 14 on the agenda, to approve the
7 Supervised Experience of Alice Hilaria
8 Thornewill, Ph.D.?

9 DR. SPAYD:

10 I make a motion to approve 1,700 hours of
11 supervised experience towards the
12 requirement.

13 DR. BRADLEY:

14 I'll second.

15 CHAIRMAN SMALL:

16 All in favor? Opposed?

17 [The motion carried unanimously.]

18 ***

19 MS. LUTZ:

20 I believe that Item No. 15 on the agenda,
21 Darla Monique Timbo, Psy.D., does not
22 require a motion and that our Board
23 Administrator is simply going to be
24 writing a letter for additional
25 information, is that correct?

1 MS. STUCKEY:

2 Yes, that's correct. I will be writing
3 to her for additional information.

4 ***

5 MS. LUTZ:

6 So that brings us to the Applications for
7 Approval of Corporate or Fictitious Names
8 on the agenda, that's 16 through 23. Is
9 there anyone who would move to approve
10 the Fictitious Name or Corporate Name
11 Applications on the agenda for ABFT
12 Training LLC; Balanced Behavioral Health
13 LLC; Center for Healing and Hope LLC;
14 Forward Focus Therapy LLC; Ramos
15 Integrative Psychological Services LLC;
16 Sanare Counseling Services LLC: The Think
17 & Do Center for Pediatric and Adult
18 Psychological Health and Wellness PLLC;
19 Lighthouse Therapy Associates PLLC? Is
20 there someone who is willing to move
21 these applications?

22 DR. DONGIOVANNI:

23 So approved.

24 DR. MAYNARD:

25 I'll second.

1 CHAIRMAN SMALL:

2 All in favor? Opposed?

3 [The motion carried unanimously.]

4 ***

5 MS. LUTZ:

6 The last item requiring a vote is Item
7 No. 27, the request for accommodations
8 that was submitted on behalf of Janice
9 DiLuzio, Ph.D. Is there anyone willing
10 to make a motion in that matter?

11 DR. SPAYD:

12 I'll make a motion to deny that request
13 for accommodations.

14 DR. BRADLEY:

15 I'll second.

16 CHAIRMAN SMALL:

17 All in favor? Opposed?

18 [The motion carried unanimously. The Applicant will
19 be notified of the denial.]

20 ***

21 CHAIRMAN SMALL:

22 We have one more thing I think we need to
23 vote on. Is there anybody who is
24 planning to go to the Ethics Educators
25 Virtual Seminar?

1 MS. STUCKEY:

2 Dr. McAleer and Dr. Spayd had both
3 indicated that they would participate so
4 I prepared the paperwork to request
5 approval which was sent out to the
6 Commissioner's Office on Friday.

7 CHAIRMAN SMALL:

8 But we need to approve sending them to
9 the Ethics Educators Workshop.

10 MS. STUCKEY:

11 That's correct, yes. We do need to have
12 a motion to approve the two of them to
13 attend.

14 CHAIRMAN SMALL:

15 Does somebody want to make that motion?

16 DR. BRADLEY:

17 I'll move.

18 DR. DONGIOVANNI:

19 I second.

20 CHAIRMAN SMALL: All in favor? Opposed?

21 [The motion carried unanimously.]

22 ***

23 Report of Board Counsel

24 Status of Cases

25 [Jackie Wiest Lutz, Esquire, Board Counsel, noted the

1 Board was 100 percent caught up with its cases with
2 one appeal pending as discussed in Executive Session.]

3 ***

4 Outstanding Regulations

5 [Ms. Lutz noted the Continuing Education Regulation
6 and General Revision packages were on the agenda for
7 voting by the Board. The Act 41 Regulation package
8 was on the agenda as an FYI. Counsel recommended that
9 the Board start focusing on the Code of Ethics to
10 identify those sections that need updated, and the
11 Child Abuse Reporting Requirements which is making its
12 way through the regulatory process.

13 Ms. Lutz stated the Act 41 Regulation was making
14 its way through the approval process and was included
15 as an FYI.

16 House Bill No. 64, which is the legislation that
17 discusses carryover hours of CE, was also included as
18 an FYI.]

19 ***

20 Status of Regulations/Guidelines/Statements of Policy

21 Continuing Education Regulation

22 [Ms. Lutz referred Board members to the Continuing
23 Education Regulation package for further discussion.
24 She indicated that this would be moving through the
25 regulation process and the Minutes of the last meeting

1 may have incorrectly stated this would be sent out for
2 exposure draft, which had already been completed.

3 Ms. Lutz stated, if the Board agreed, the matter
4 was ready for a vote to adopt the proposed rulemaking
5 package and to direct Counsel to promulgate the
6 proposed rulemaking through the regulatory review
7 process.]

8 CHAIRMAN SMALL:

9 Does someone want to make that motion?

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 CHAIRMAN SMALL:

19 Does someone want to make a motion to
20 delete the parenthetical about the
21 stakeholders from the previous minutes?

22 MS. LUTZ:

23 I don't think we're deleting anything. I
24 think I may have misspoke.

25 ***

1 General Revisions Regulation

2 [Ms. Lutz stated, per the previous minutes, Board
3 members agreed that the language should read, at least
4 50 percent of the required post doctoral hours must be
5 obtained in real time clinical activities, such as
6 performing diagnosis assessment therapy, psychological
7 research regarding these same activities, other
8 interventions as well as receiving required
9 supervision and consultation. According to the
10 minutes, the Board members agreed to move forward with
11 the amendments to the Annex as discussed and to ask
12 Counsel to submit a copy of the Annex as an exposure
13 draft to stakeholders.

14 Ms. Lutz explained the exposure draft had already
15 been completed and was on the agenda for the Board to
16 move to adopt the annex of the preamble as presented
17 and to direct Counsel to promulgate this through the
18 regulatory review process.]

19 DR. MCALEER:

20 So moved.

21 DR. BRADLEY:

22 Second.

23 CHAIRMAN SMALL:

24 All in favor? Opposed?

25 [The motion carried unanimously.]

1 ***

2 Discussion Items

3 [Board members held a discussion with regard to
4 consideration of the APA Code of Ethics for adoption.
5 Ms. Lutz explained that if the Board adopted the APA's
6 guidelines or Code of Ethics and if any subsequent
7 changes were made, the Board would be locked in as to
8 how the regulations appear in writing on that date
9 forward until the Board made subsequent regulatory
10 changes. Dr. McAleer was asked to review the APA Code
11 of Ethics for further discussion at the December
12 meeting.]

13 ***

14 [Mr. Stauffer addressed a question of why some PDF
15 files could not be opened. He explained that the
16 agenda does work best with Internet Explorer, but
17 other programs were being reviewed with regard to the
18 matter.]

19 ***

20 Adjournment

21 CHAIRMAN SMALL:

22 Anybody want to make a motion to
23 adjourn.

24 DR. DONGIOVANNI:

25 I'll so move.

1 COMMISSIONER JOHNSON:

2 Second.

3 CHAIRMAN SMALL:

4 All in favor? Opposed?

5 [The motion carried unanimously.]

6 ***

7 [There being no further business, the State Board of
8 Psychology Meeting adjourned at 11:52 p.m.]

9 ***

10

11 CERTIFICATE

12

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

18

19

20



21

Kelly Gallick,

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

25

STATE BOARD OF PSYCHOLOGY
REFERENCE INDEX

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TIME	AGENDA
9:00	Executive Session
10:45	Return to Open Session
10:45	Meeting Call to Order
10:47	Approval of Minutes
10:48	Report of Board Prosecution
11:04	Regulations
11:24	Motions
11:30	Report of Board Counsel
11:43	Discussion Items
11:52	Adjournment