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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: 10:34 A.M.

December 7, 2020

State Board of Psychology
December 7, 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.
LaJewel Harrison, MBA (Public Member)
Dean C. Maynard, Ed.D. (Public Member)
Donald McAleer, Psy.D.

BUREAU PERSONNEL:

Kenneth Suter, Esquire, Board Counsel
Nathan C. Giunta, Esquire, Board Prosecution Liaison
Chris Stuckey, Board Administrator
Cynthia Montgomery, Esquire, Deputy Chief Counsel
Carolyn DeLaurentis, Esquire, Deputy Chief Counsel,
Prosecution Division
Andrew LaFratte, MPA, Policy Fellow, Pennsylvania
Department of State
Marc Farrell, Deputy Policy Director, PA Department of
State

Theodore Stauffer, Legal Assistant/Executive
Secretary, Bureau of Professional and Occupational
Affairs

ALSO PRESENT:

Kimberly Adams, Chief of Fiscal Management, Bureau of
Finance and Operations, PA Department of State
Angela Scott, Office of Policy
Jennifer Smeltz, Executive Director, Senate Consumer
Protection and Professional Licensure Committee
J.J. Livingston, Democratic Executive Director,
Senate Consumer Protection and Professional
Licensure Committee
Rachael Baturin, MPH, JD, Pennsylvania Psychological
Association

1 State Board of Psychology

2 December 7, 2020

3 ***

4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
5 9:00 a.m. the Board entered into Executive Session
6 with Kenneth Suter, Esquire, Board Counsel, for the
7 purpose of conducting quasi-judicial deliberations on
8 a number of matters that are currently pending before
9 the Board and to receive advice of Counsel. The Board
10 returned to open session at 10:30 a.m.]

11 ***

12 The regularly scheduled meeting of the State
13 Board of Psychology was held on Monday, December 7,
14 2020. Richard F. Small, Ph.D., Chairman, called the
15 meeting to order at 10:34 a.m.

16 K. Kalonji Johnson, Commissioner, Bureau of
17 Professional and Occupational Affairs, was not present
18 at the commencement of the meeting.

19 ***

20 [Chairman Small requested the introduction of audience
21 members.]

22 ***

23 {It was announced that the meeting was being recorded
24 and that remaining on the line would be consenting to
25 being recorded.]

1 ***

2 Approval of Minutes of the October 5, 2020 meeting

3 CHAIRMAN SMALL:

4 Does anybody have any comments,
5 corrections, et cetera?

6 DR. MCALEER:

7 I move that we accept the Minutes.

8 DR. SPAYD:

9 Second.

10 CHAIRMAN SMALL:

11 All in favor? Opposed?

12 [The motion carried unanimously.]

13 ***

14 Report of Board Prosecution

15 [Nathan Guinta, Esquire, Board Prosecution Liaison,
16 noted one VRP Consent Agreement on the agenda.

17 CHAIRMAN SMALL:

18 Do we have a motion to accept the Consent
19 Agreement for File No. 20-63-006030?

20 DR. ERICKSON:

21 So moved.

22 DR. BRADLEY:

23 Second.

24 CHAIRMAN SMALL:

25 All in favor? Opposed?

1 [The motion carried unanimously.]

2

3 [Mr. Guinta brought to the Board's attention an issue
4 that had arisen regarding a Consent Agreement that was
5 denied, which involved advisory opinions and parental
6 custody. Marc Farrell, Deputy Policy Director, PA
7 Department of State, noted a recently passed bill,
8 regarding the Criminal History Record Information Act,
9 permits advisory opinions specific to that topic. The
10 Department is not in favor of having that power.]

11

12 Report of Board Counsel

13 [Kenneth Suter, Esquire, Board Counsel, noted that
14 prior to the commencement of this meeting, the Board
15 was in Executive Session for discussion of Items 8
16 through 30 on the agenda with 8 through 18 dealing
17 with supervision experience and 19 through 30 being
18 applications for approval of corporate or fictitious
19 names.]

20

21 Status of Cases

22 [Mr. Suter referred Board members to the update on the
23 agenda for further review.]

24

25 Outstanding Regulations

1 [Mr. Suter referred Board members to the outstanding
2 regulations for review. Dr. McAleer commented with
3 regard to the revision status of the American
4 Psychological Association's Ethics Code. He noted the
5 APA assembled a task force to revise the code and put
6 out for comment the ethical principles that guide the
7 subsequent enforceable standards of the code. It was
8 indicated that it was a slow moving process that
9 continues to solicit input from all stakeholders.]

10 ***

11 Thank You from Melissa Jane Granados, Psy.D.

12 [Board members were referred to a thank you note,
13 which was sent to Ms. Lutz and the Board for review.]

14 ***

15 Status of Regulations/Guidelines/Statements of Policy
16 House Bill 64

17 [Mr. Suter explained that Bill No. 64 permits a
18 licensee to carry over continuing education credits
19 from one biennial renewal period to the next. He
20 noted the regulation at 41.59 (b) indicates that up to
21 10 contact hours in excess of 30 from the immediately
22 preceding biennium may be carried over from one
23 biennium to the next, that excess hours in ethical
24 issues may not be used to satisfy the ethics
25 requirement for the succeeding biennium but may be

1 credited toward the total requirement. Mr. Suter
2 explained that the Board can choose to amend or modify
3 the requirement or keep its current language.

4 Chris Stuckey, Board Administrator, stated the
5 matter was discussed at the last Board meeting. Her
6 recollection, although she was not 100 percent
7 certain, was that the Board was initially going to
8 remove the carryover, but because of this new act, The
9 Board chose to leave it in. There was further
10 discussion regarding the matter which would be
11 revisited at the next meeting.]

12 ***

13 Appointment - Bureau of Finance and Operations, Annual
14 Budget Presentation

15 [Kimberly Adams, Chief of Fiscal Management, Bureau of
16 Finance and Operations, PA Department of State,
17 presented before the Board for discussion of the
18 Board's licensee population, revenue by source
19 definitions, revenue totals, cost category
20 definitions, expense totals including actual Board
21 member expenses. Board members had questions and
22 comments.]

23 ***

24 Report of Board Counsel (Continued)

25 [Mr. Suter continued discussion regarding continuing

1 education which came out after the agenda was printed.
2 Mr. Stuckey provided additional information regarding
3 pending regulations explaining that the proposed annex
4 for CE regulations was dated August 18, 2020, and
5 would have been on the agenda for the Board's October
6 meeting. She noted the only change was to include the
7 suicide prevention CE in with the Ethics for each
8 biennial period.

9 Rachael Baturin, MPH, JD, Pennsylvania
10 Psychological Association, questioned whether
11 carryover would be limited to just one biennium under
12 the new act or if the Board would continue with its
13 original language. Ms. Stuckey explained that if
14 someone carried over 10 hours from the last biennial
15 period to this biennial period, the individual would
16 have to demonstrate to the Board proof of the 30-hour
17 requirement in their prior biennial period. The
18 matter will be placed on the next meeting agenda for
19 further discussion.

20 Mr. Suter reiterated for Ms. Baturin the prior
21 discussion with Mr. Guinta regarding a previously
22 denied Consent Agreement. The facts and circumstances
23 in the denied Consent Agreement are unique to that
24 specific case and should not be necessarily
25 interpreted as an advisory opinion or a change in the

1 Board's policies/decisions. The Board does speak
2 through its Adjudications and Orders and does not
3 issue advisory opinions. Therefore, licensees should
4 be careful with interpreting the previous Consent
5 Agreement as a change in the standards outlined in the
6 Grossman decision.]

7 ***

8 [K. Kalonji Johnson, Commissioner, Bureau of
9 Professional and Occupational Affairs, entered the
10 meeting at 11:22 a.m.]

11 ***

12 Report of Commissioner

13 [K. Kalonji Johnson, Commissioner, Bureau of
14 Professional and Occupational Affairs, had no formal
15 report but wished all a safe, healthy Happy Holiday.]

16 ***

17 Report of Board Chairman

18 [Richard F. Small, Ph.D., Chairman, introduced and
19 welcomed LaJewel Harrison, MBA, the Board's newest
20 Public Member.]

21 ***

22 Report of Board Administrator

23 [Chris Stuckey, Board Administrator, noted her
24 participation in a PSYPACT meeting last month.]

25 ***

1 MOTIONS:

2 Review of Supervised Experience

3 MR. SUTER:

4 As a result of discussions in Executive
5 Session, I understand the Board will
6 entertain a motion to approve the
7 Supervision Experience for Item Nos. 10,
8 11, 12, 13, 15 and 18.

9 DR. DONGIOVANNI:

10 So moved.

11 DR. BRADLEY:

12 I'll second.

13 CHAIRMAN SMALL:

14 All in favor? Any opposed?

15 [The motion carried unanimously.]

16 ***

17 MR. SUTER:

18 As well as discussions in Executive
19 Session, I understand the Board will
20 entertain a motion to reject the
21 Supervision Experience for Item Nos. 9
22 and 16 on the agenda. I'm going to read
23 those names. Item No. 9 is Whitney
24 Quinlan, Psy.D. Item No. 16 is Jared A,
25 Mondelli, Psy.D.

1 DR. SPAYD:

2 So moved.

3 DR. MCALEER:

4 Second.

5 CHAIRMAN SMALL:

6 All in favor? Opposed?

7 [The motion carried unanimously.]

8 ***

9 MR. SUTER:

10 The next motion is to provisionally deny
11 the Supervision Experience for Item No. 8
12 on the agenda. It is Darla Monique
13 Timbo, Psy.D. Once again, to
14 provisionally deny the Supervision
15 Experience for three reasons: There are
16 not the appropriate number of hours of
17 experience; she was working in another
18 recognized profession; and she was
19 working independently.

20 DR. BRADLEY:

21 I'll make that motion.

22 DR. SPAYD:

23 I'd like to slightly amend that. She
24 didn't have enough hours of supervision,
25 not hours of experience.

1 MR. SUTER:

2 Thank you.

3 DR. SPAYD:

4 I'll second it.

5 CHAIRMAN SMALL:

6 All in favor? Opposed?

7 [The motion carried unanimously.]

8 ***

9 MR. SUTER:

10 The last motion would be Supervision
11 Experience with regard to Item Nos. 14
12 and 17. And with both of these directing
13 the Board Administrator notify the
14 applicants that only a portion of the
15 practicum experience submitted has been
16 accepted. Item No. 14 is Alexander Adam
17 Puhalla, Ph.D. Item No. 17 is Kameelah
18 Mu'Min, Psy.D.]

19 [There was further discussion regarding the motion.]

20 DR. MCALEER:

21 So moved.

22 COMMISSIONER JOHNSON:

23 Second.

24 CHAIRMAN SMALL:

25 All in favor? Opposed?

1 [The motion carried unanimously.]

2 ***

3 Applications for Approval of Corporate or Fictitious
4 Names

5 MR. SUTER:

6 These were discussed in Executive
7 Session. I'm going to do Item Nos. 19
8 through 29 as one motion. And the motion
9 I understand the Board will entertain is
10 to approve Item Nos. 19 through 29 on the
11 agenda.

12 DR. DONGIOVANNI:

13 So moved.

14 DR. MCALEER:

15 Second.

16 CHAIRMAN SMALL:

17 All in favor? Opposed?

18 [The motion carried unanimously.]

19 ***

20 MR. SUTER:

21 Item No. 30, this is Approval of
22 Corporate or Fictitious Name. The motion
23 I understand the Board will entertain is
24 to provisionally approve the application
25 in this case. The provisional approval

1 is conditioned upon another consultant
2 being added to the practice.

3 DR. MCALEER:

4 I'd like to modify that we require
5 verification that another consultant has
6 been added. The application has suggested
7 that one is pending but we are asking for
8 verification that in fact happened.

9 DR. SPAYD:

10 So moved.

11 DR. MCALEER:

12 Second.

13 CHAIRMAN SMALL:

14 All in favor? Opposed?

15 [The motion carried unanimously.]

16 ***

17 Discussion Items

18 Upcoming Meeting Dates

19 [Upcoming meeting dates were noted to be approved at
20 the last meeting. Ms. Stuckey indicated that Board
21 meetings will continue virtually through June of 2021
22 and it is not possible to have more than one virtual
23 meeting on one day. She stated the Board had approved
24 a June 8, 2021 meeting date but requested the meeting
25 be held on the June 7, 2021 date to avoid any

1 conflicts with more than one meeting on one day.]

2 CHAIRMAN SMALL:

3 We need a motion to either change the
4 June meeting date or to just accept the
5 new slate of meetings.

6 DR. SPAYD:

7 I make a motion we change the June 8,
8 2021 meeting date to June 7, 2021.

9 DR. MCALEER:

10 Second.

11 CHAIRMAN SMALL:

12 All in favor? Opposed?

13 [The motion carried unanimously.]

14 ***

15 Election of Officers

16 [Chairman Small explained that the Board Chair serves
17 for two years, but there is no requirement that that
18 be the case. He agreed to serve a second year.]

19 ***

20 [Richard F. Small, Ph.D., Chairman, exited the meeting
21 for recusal purposes at 11:40 a.m.]

22 ***

23 MR. SUTER:

24 I'd like to open it up for nominations
25 for Chair of the State Board of

1 Psychology.

2 DR. SPAYD:

3 I would nominate Rick Small continue as
4 Chair.

5 DR. DONGIOVANNI:

6 I'll second that.

7 MR. SUTER:

8 Are there any other nominations for the
9 position of Chair? Hearing none, would
10 somebody like to make a motion to close
11 nominations?

12 DR. MCALEER:

13 So moved.

14 COMMISSIONER JOHNSON:

15 Second.

16 MR. SUTER:

17 All those in favor please signify by
18 saying aye? Any opposed? Any
19 abstentions?

20 [The motion carried unanimously.]

21 ***

22 [Richard F. Small, Ph.D., Chairman, re-entered the
23 meeting at 11:42 a.m.]

24 ***

25 [Catherine S. Spayd, Ph.D., Vice Chair, exited the

1 meeting for recusal purposes at 11:42 a.m.]

2 ***

3 CHAIRMAN SMALL:

4 Anybody have a problem with Cathy Spayd
5 as Vice Chair?

6 DR. MCALEER:

7 I move that we nominate Cathy Spayd for
8 Vice Chair.

9 DR. BRADLEY:

10 Second.

11 CHAIRMAN SMALL:

12 All in favor? Opposed?

13 [The motion carried unanimously.]

14 ***

15 [Catherine S. Spayd, Ph.D., Vice Chair, re-entered the
16 meeting at 11:43 a.m.]

17 ***

18 [Katherine Bradley, Ph.D., Secretary, exited the
19 meeting for recusal purposes at 11:44 a.m.]

20 ***

21 DR. MCALEER:

22 I moved that we nominate Kathy Bradley
23 for the office of Secretary.

24 DR. ERICKSON:

25 I second that.

1 CHAIRMAN SMALL:

2 All in favor? Opposed?

3 [The motion carried unanimously.]

4 ***

5 [Katherine Bradley, Ph.D., Secretary, re-entered the
6 meeting at 11:45 a.m.]

7 ***

8 [The Board discussed the committee appointments. Mr.
9 Suter recommended one person be appointed to the
10 Probable Cause Screening Committee who reviews matters
11 including immediate temporary suspension of a license
12 and petitions for appropriate relief (PARs). He
13 explained that the person appointed would be recused
14 from all further proceedings before the Board due to
15 information shared by prosecution. Mr. Suter noted a
16 substitute person should also be appointed.]

17 CHAIRMAN SMALL:

18 Does anybody want to make the motion that
19 Steve Erickson be appointed to the
20 Probable Cause Screening Committee and
21 that Don McAleer be appointed as
22 substitute?

23 DR. BRADLEY:

24 I'll make that motion.

25 DR. MAYNARD:

1 Second.

2 CHAIRMAN SMALL:

3 All in favor? Opposed?

4 [The motion carried unanimously.]

5 ***

6 FYI Items

7 [Chairman Small referred Board members to the FYI
8 items for review.]

9 ***

10 [Mr. Suter thanked the Board for helping him as Board
11 Counsel.]

12 ***

13 [There was discussion regarding correspondence from
14 ASPPB. Mr. Suter requested that a copy of the letter
15 be sent to him for review. There was discussion
16 regarding the COVID forms.]

17 ***

18 Adjournment

19 CHAIRMAN SMALL:

20 Anybody want to make a motion to
21 adjourn.

22 DR. DONGIOVANNI:

23 I'll so move.

24 DR. MCALEER:

25 Second.

1 CHAIRMAN SMALL:

2 All in favor? Opposed?

3 [The motion carried unanimously.]

4 ***

5 [There being no further business, the State Board of
6 Psychology Meeting adjourned at 11:55 a.m.]

7 ***

8 [The next meeting is scheduled for February 8, 2021.]

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

December 7, 2020

TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:34	Meeting Call to Order
10:35	Approval of Minutes
10:35	Report of Board Prosecution
10:37	Report of Board Counsel
11:02	Appointment - Annual Budget Presentation
11:15	Report of Board Counsel (Continued)
11:22	Report of Commissioner
11:23	Report of Board Chairman
11:23	Report of Board Administrator
11:24	Motions
11:40	Discussion Items
11:48	FYI Items
11:55	Adjournment