

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

TIME: 8:59 A.M.

BOARD ROOM C
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

February 10, 2020

State Board of Psychology
February 10, 2020

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

BOARD MEMBERS:

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

BUREAU PERSONNEL:

Jackie Wiest Lutz, Esquire, Board Counsel
Bridget K. Guilfoyle, Esquire, Board Prosecution
Liaison
Tara Wikhian, Esquire, Board Prosecutor
Chris Stuckey, Board Administrator

ALSO PRESENT:

Sam Knapp, Ed.D., PA Psychological Association (via
conference call)
Rachael Baturin, MPH, JD, PA Psychological Association
Alan Tepper, Esquire

1 ***

2 State Board of Psychology

3 February 10, 2020

4 ***

5 The regularly scheduled meeting of the State
6 Board of Psychology was held on Monday, February 10,
7 2020. Richard F. Small, Ph.D., Chairman, called the
8 meeting to order at 8:59 a.m.

9 Dean Maynard, Ed.D., Public Member, was sworn in
10 as the Board's new public member prior to the
11 commencement of today's meeting.

12 ***

13 [Chris Stuckey, Board Administrator, reviewed the
14 emergency evacuation procedures for One Penn Center.]

15 ***

16 [Chairman Small requested the introduction of Board
17 members.]

18 ***

19 Approval of minutes of the December 2, 2019 meeting

20 CHAIRMAN SMALL:

21 Has everybody read the Minutes and does
22 anybody want to make a motion to approve
23 the minutes?

24 DR. MCALEER:

25 So moved.

1 DR. ERICKSON:

2 Second.

3 CHAIRMAN SMALL:

4 All in favor? Opposed?

5 [The motion carried unanimously.]

6 ***

7 Report of Board Prosecution

8 [Bridget K. Guilfoyle, Esquire, Board Prosecution
9 Liaison, presented a Consent Agreement for Case No.
10 15-63-02645. Alan Tepper, Esquire, was present on
11 behalf of the Respondent.]

12 ***

13 [Tara Wikhian, Esquire, Board Prosecutor, presented
14 the Consent Agreements for File No. 17-63-012427.]

15 ***

16 Report of Board Counsel

17 [Jackie Wiest Lutz, Esquire, Board Counsel, referred
18 Board members to information regarding House Bill 2110
19 introduced December 9, 2019, which requires all
20 applicants with health-related licenses to complete
21 training in implicit bias and cultural competence in
22 accordance with continuing education requirements.

23 She stated Senate Bill 67, which would allow
24 psychologists in other states to practice through
25 telecommunication with patients in Pennsylvania, was

1 unanimously approved by the House Committee. In
2 addition, the House Committee also unanimously
3 approved House Bill 1566, which would allow
4 professional licensing boards to issue advisory
5 opinions at the request of a licensee.

6 Ms. Lutz referred to the Status of Cases as
7 listed on the agenda and discussed two closed cases
8 prior to her assuming the position of Board Counsel.

9 Ms. Lutz noted three cases that would be discussed
10 during Executive Session.

11 Board members were referred to the Status of
12 Regulations for further discussion. Ms. Lutz
13 commented that the Board had finally been given the
14 green light with regard to moving regulations through,
15 which included 16A-6317, Continuing Education
16 Regulation. Ms. Lutz updated the regulation to
17 include suicide prevention as mandatory continuing
18 education and was awaiting Board approval of the
19 Annex.

20 She reminded members that the language was
21 approved by the Board back in roughly 2015 but went
22 nowhere. She reminded the Board that the bracketed
23 information was being proposed by the Board to be
24 removed; the underlined information was being proposed
25 to be added by the Board. She instructed the Board on

1 the regulation process going forward.]

2 CHAIRMAN SMALL:

3 Does somebody want to make a motion?

4 DR. ERICKSON:

5 So moved.

6 CHAIRMAN SMALL:

7 Any discussions, questions?

8 [The Board had further discussion regarding the
9 regulation. Ms. Lutz suggested that the Board vote to
10 approve the Preamble and the Annex as submitted with
11 the change in Section 41.59(e)(3)(i)(A) from a course
12 in psychology housed within a psychology department
13 for a regionally accredited college or university if
14 the course generates a semester quarter hour credit to
15 a course in psychology housed within a psychology
16 department for a regionally accredited college or
17 university if the course generates semester quarter
18 hour credit, or a school of medicine.

19 The matter was tabled until the April meeting for
20 further discussion.

21 Board members were also asked to review Section
22 41.59(a)(1)(i), a provision that would give boards the
23 authority to carry over credits.

24 It was noted that the three absent Board members
25 would be emailed regarding these matters.

1 Ms. Lutz referred to the General Revision Annex
2 portion of the regulation package for further
3 discussion. She noted the matter had been sitting for
4 many years and updated consistent with discussions
5 during a recent committee meeting.

6 Ms. Lutz requested a motion directing Counsel to
7 release an exposure draft of the Annex to interested
8 parties and stakeholders if the Board was satisfied
9 with the Annex. Any comments received would be
10 discussed at the April meeting and moved forward
11 through the regulatory process. Dr. McAleer discussed
12 concerns regarding the language.

13 Counsel proposed to add language to the General
14 Revisions regulation package to include Act 41. She
15 suggested that a meeting be held regarding the
16 matter.]

17 MS. LUTZ:

18 Anybody willing to make a motion to
19 direct Counsel to release an exposure
20 draft of the Annex to interested parties
21 and stakeholders?

22 CHAIRMAN SMALL:

23 Anybody want to make that motion?

24 DR. ERICKSON:

25 I'll move.

1 DR. MCALEER:

2 Second.

3 CHAIRMAN SMALL:

4 All in favor? Opposed?

5 [The motion carried unanimously. The Board will have
6 a chance to review comments from interested parties
7 and stakeholders at the meeting in April.]

8 ***

9 [Ms. Lutz referred Board members to the Outstanding
10 Regulations initially drafted in September of 2015
11 that implements statutorily mandated language. She
12 will push this through as a Final Rulemaking Proposed
13 Omitted, meaning that it would not have to go through
14 the Proposed Rulemaking cycle. Ms. Lutz will send a
15 memo to the Office of Attorney General requesting
16 approval.

17 Ms. Lutz noted that a reference to 6323(b) of the
18 Child Protective Services Law would be amended to
19 state 6383(b), with the addition of one contact hour
20 in the assessment treatment and management of suicide
21 risks consistent with the update just made to the CE
22 regs that were tabled until April.]

23 MS. LUTZ:

24 If everyone here is in favor, in order
25 for me to move this forward a vote would

1 be necessary to approve the rulemaking
2 and to direct me to promulgate it
3 through the regulatory review process.

4 CHAIRMAN SMALL:

5 Do we have a motion?

6 DR. ERICKSON:

7 So moved.

8 DR. MCALEER:

9 Second.

10 CHAIRMAN SMALL:

11 All in favor? Opposed?

12 [The motion carried unanimously. Chairman Small
13 signed paperwork with regard to the matter.]

14 ***

15 Report of Board Chairman

16 [Richard F. Small, Ph.D., Chairman, referred to the
17 PPA 2020 Convention Schedule for discussion of which
18 Board members would be interested in attending.]

19 CHAIRMAN SMALL:

20 Do we have a motion to approve Dr.

21 DonGiovanni, Dr. Maynard and Dr. McAleer

22 to submit their applications for

23 approval to attend the convention?

24 DR. ERICKSON:

25 So moved.

1 DR. MCALEER:

2 Second.

3 CHAIRMAN SMALL:

4 All in favor? Opposed?

5 [The motion carried unanimously. Deputy Commissioner
6 Lambert offered to put the Board in contact with the
7 Director of Intergovernmental Affairs with regard to
8 the presentation on the schedule. There would be
9 further discussion at the April meeting regarding the
10 matter.]

11 ***

12 [Chairman Small commented that there were no
13 guidelines with regard to granting accommodations. He
14 provided an example of an individual who had an
15 anxiety disorder and needed extra time. There would
16 be further discussion of these guidelines at the next
17 meeting.]

18 ***

19 Report of Deputy Commissioner - No Report

20 ***

21 Report of Board Administrator - No Report

22 ***

23 Discussion Item

24 [Donald McAleer, Psy.D., stated the Pennsylvania
25 Psychological Association has a yearly ethics

1 educators' conference and asked the Board to consider
2 sending a member as a presenter. There would be
3 further discussion at the Board's April meeting.]

4 ***

5 [The Board recessed prior to entering into Executive
6 Session.]

7 ***

8 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
9 10:15 a.m. the Board entered into Executive Session
10 with Jackie Wiest Lutz, Esquire, Board Counsel, for
11 the purpose of conducting quasi-judicial deliberations
12 on a number of matters that are currently pending
13 before the Board and to receive advice of Counsel.
14 The Board returned to open session at 11:46 a.m.]

15 ***

16 [Sam Knapp, Ed.D., PA Psychological Association (via
17 conference call) discussed Section 41.58 of the
18 regulations that refers to three full-time
19 supervisees. He stated it was the opinion of the
20 Association that this was a very reasonable role but
21 noted it would be appropriate to slightly change the
22 intensive outpatient services, now called IBHS,
23 (Intensive Behavioral Health Services).

24 Dr. Knapp explained, at a clinic, the average
25 number of patients seen per week was 20 to 25. Given

1 the fact that some patients come once every two weeks
2 or once a month, the average person would have
3 approximately 60 supervisees times three full-time
4 equivalents, which would equal approximately 180
5 patients that one psychologist would be responsible
6 for.

7 He noted that Intensive Behavioral Health Services
8 are much more intense and workers often work directly
9 in the child's home or school, but far fewer children
10 would be seen than in an outpatient clinic, the
11 average being 20 as opposed to 60 clinically. Dr.
12 Knapp stated the Association was requesting a change
13 in the regulations to reflect that difference.

14 There was further discussion regarding the matter.
15 Board Counsel suggested that the language proposed by
16 Dr. Knapp in his letter be incorporated into the
17 language of the General Revision regulation package
18 which the Board would be voting on to release an
19 exposure draft.]

20

21 MOTIONS

22 MS. LUTZ:

23 With respect to the Consent Agreement
24 that the Board considered this morning,
25 is there a motion in the matter

1 involving Case No. 15-63-02645 that the
2 Board reject the Consent Agreement on
3 the ground that there was no evidence of
4 a violation?

5 DR. ERICKSON:

6 So moved.

7 DR. MAYNARD:

8 Second.

9 CHAIRMAN SMALL:

10 All in favor? Opposed?

11 [The motion carried unanimously.]

12 ***

13 MS. LUTZ:

14 Is there a motion in the matter
15 involving Case No. 17-63-012427 to
16 approve the Consent Agreement and Order
17 presented by the Prosecution?

18 DR. MCALEER:

19 So moved.

20 DR. ERICKSON:

21 Second.

22 CHAIRMAN SMALL:

23 All in favor? Opposed?

24 [The motion carried unanimously. The Respondent's
25 name is Samuel Romirowsky, Ph.D.]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. LUTZ:

In the matter of the regulations that the Board discussed this morning, with respect to the General Revisions Regulation, 16-A-6320, is there a motion to direct Counsel to release an Exposure Draft of the Annex, amended to incorporate suggested wording that the PPA provided to the Board in December of 2019, and then to submit it to the interested parties and stakeholders.

So in other words, I believe your discussion was that you wanted to direct Counsel to release an exposure draft of the Annex to the General Revisions regulation package. But since we just spoke with Dr. Knapp, you folks want to incorporate into that General Revisions Annex the language that was proposed by PPA in December of 2019 regarding the BCAC Mental Health.

DR. MCALEER:

So moved.

DR. ERICKSON:

1 Second.

2 CHAIRMAN SMALL:

3 All in favor? Opposed?

4 [The motion carried unanimously.]

5 ***

6 [Ms. Lutz requested this motion be struck from the
7 record.]

8 ***

9 (WHEREUPON, AN OFF THE RECORD DISCUSSION WAS HELD.)

10 ***

11 MS. LUTZ:

12 Is there a motion to amend the previous
13 motion to direct Counsel to release an
14 exposure draft of the Annex to the
15 General Revisions Regulation 16A-6320 by
16 directing Counsel first to amend the
17 General Revision Regulation Annex to
18 include the language, proposed by the
19 Pennsylvania State Psychological
20 Association and presented to the Board
21 at the December 2019 meeting, and then
22 to circulate the exposure draft of the
23 Annex to interested parties and
24 stakeholders?

25 DR. MCALEER:

1 So moved.

2 DR. ERICKSON:

3 Second.

4 CHAIRMAN SMALL:

5 All in favor?

6 [The motion carried unanimously.]

7 ***

8 MS. LUTZ:

9 With respect to the Request for
10 Reconsideration filed by Melissa Jane
11 Granados, Psy.D., File No. 19-63-017725,
12 is there a member who would like to move
13 that the Board deny the Request for
14 Reconsideration and schedule this matter
15 for a hearing before the Board at its
16 June 15, 2020 meeting commencing at
17 11:00 a.m.?

18 DR. ERICKSON:

19 So moved.

20 DR. MCALEER:

21 Second.

22 CHAIRMAN SMALL:

23 All those in favor? Opposed?

24 [The motion carried unanimously].

25 ***

1 MS. LUTZ:

2 With respect to File No. 13-63-09103
3 pertaining to Jeff Fremont, Ph.D., is
4 there a motion to direct Counsel to
5 prepare an Adjudication and Order
6 consistent with discussions in Executive
7 Session?

8 DR. MCALEER:

9 So moved.

10 DR. MAYNARD:

11 Second.

12 CHAIRMAN SMALL:

13 All in favor? Opposed?

14 [The motion passed unanimously.]

15 ***

16 MS. LUTZ:

17 Is there anyone willing to make a motion
18 to approve the Application to Practice
19 Psychology for Persons Licensed In Other
20 States submitted by Esther Marianne
21 Rosen, Ph.D.?

22 DR. ERICKSON:

23 So moved.

24 DR. MCALEER:

25 Second.

1 CHAIRMAN SMALL:

2 All in favor? Opposed?

3 [The motion carried unanimously.]

4 ***

5 MS. LUTZ:

6 Is there a motion to provisionally deny
7 the Application to Practice Psychology
8 of Joseph A. Talamo, Ph.D.?

9 DR. ERICKSON:

10 So moved.

11 DR. MCALEER:

12 Second.

13 CHAIRMAN SMALL:

14 All in favor? Opposed?

15 [The motion carried unanimously.]

16 ***

17 MS. LUTZ:

18 With respect to Items 18 and 19 on the
19 agenda, is there a motion to approve the
20 Supervised Experience submitted for
21 Elena Marie Cucco, Ph.D. and AnnMarie
22 Terese Whithed, Psy.D.?

23 DR. MCALEER:

24 So moved.

25 DR. MAYNARD:

1 Second.

2 CHAIRMAN SMALL:

3 All in favor? Opposed?

4 [The motion carried unanimously.]

5 ***

6 MS. LUTZ:

7 With respect to the Corporate or
8 Fictitious Names on the agenda at Items
9 21 and 22, is there a motion to approve
10 the Corporate or Fictitious Name of
11 Riverhill Psychological Associates SC
12 and Mindful Behavioral Health, LLC.?

13 DR. ERICKSON:

14 So moved.

15 DR. MAYNARD:

16 Second.

17 CHAIRMAN SMALL:

18 All in favor? Opposed?

19 [The motion carried unanimously.]

20 ***

21 MS. LUTZ:

22 With respect to the Applications for
23 Sponsor/Provider Approval for National
24 and Regional Associations, is there
25 anyone willing to make the motion to

1 approve the applications appearing at
2 Items 23 through 26 on the agenda,
3 specifically Lancaster School of
4 Psychodrama and Experiential
5 Psychotherapies, Pennsylvania
6 Association of Behavior Analysis, New
7 Directions Counseling Services, LLC and
8 BCAC Mental Health Continuing Education?

9 DR. MAYNARD:

10 So moved.

11 DR. MCALEER:

12 Second.

13 CHAIRMAN SMALL:

14 All in favor?

15 [The motion carried unanimously.]

16 ***

17 MS. LUTZ:

18 Is there anyone ready to make a motion
19 with respect to the Sponsor/Provider
20 Renewal Applications to ratify the
21 renewal of those items appearing at 27
22 through 33 of the agenda, specifically
23 Holcomb Behavioral Health Systems,
24 Phoenix Center of Experiential Trauma
25 Therapy, LLC, Delaware County

1 Association of School Psychologists,
2 PESI Inc., Pennsylvania Training and
3 Technical Assistance Network, Chester
4 County Intermediate Unit and PA Sexual
5 Offender Assessment Board?

6 DR. MAYNARD:

7 So moved.

8 DR. MCALEER:

9 Second.

10 CHAIRMAN SMALL:

11 All in favor? Opposed?

12 [The motion carried unanimously.]

13 ***

14 Report of Board Administrator

15 [Chris Stuckey, Board Administrator, reviewed for Dr.
16 Maynard the fact that the Board had in August voted to
17 waive Section 41.32 of the Board's Regulations for
18 Applicants who began an APA accredited doctoral
19 program on or after September of 2015, and that this
20 was due to the fact that their practicum experience
21 meets the requirements for supervised experience for
22 individuals who began their program on or after that
23 date.

24 She noted that the Board had gone a little
25 farther, and said that for those people, we still must

1 receive a letter from the Director of Clinical
2 Training providing the dates, the number of months,
3 and the number of hours, to make sure that they did in
4 fact do 1,750 hours of practicum experience. And if
5 it turned out that they did not, then they could do
6 some post doctoral experience to bring their total
7 supervised experience to 1,750 hours.

8 Ms. Stuckey received a couple comments, including
9 someone who had begun a graduate program in the fall
10 of 2015, yet technically the first day of classes was
11 the end of August of 2015. She asked Board members to
12 comment regarding the matter.

13 Chairman Small explained that for many years the
14 Board required one year of predoctoral internship
15 followed by a year of supervised experience. He
16 noted that this "overhauled" regulation provides for
17 two years of practicum and internship experience
18 before an individual receives a doctorate license.

19 The Board was in favor of removing the September
20 of 2015 and adding that an individual who began an APA
21 accredited doctoral program on or after the Fall
22 Semester of 2015.

23 Ms. Stuckey inquired if Board still wanted to
24 consider accepting practicum experience only in the
25 doctoral program and not in the master's program.

1 Rachael Baturin, MPH, JD, PA Psychological
2 Association, will review the matter with her
3 colleagues and advise the Board.

4 Ms. Stuckey read into the record the following:
5 that if predoctoral practicum hours from graduate
6 school, i.e., hours prior to internship, were
7 completed at community placements such as local
8 hospitals or schools, but there was always a primary
9 supervisor at the graduate university, can the primary
10 graduate mentors sign off on those hours or do
11 verifications of experience forms need to be filled
12 out by the supervisors at the actual site. Board
13 members had further discussion regarding the matter.

14 Dr. Erickson commented that it should be the
15 person that assumes the oversight of the quality of
16 technical aspects of the work that is being done
17 during the practicum, or whoever can attest to the
18 quality and level of supervision.

19 Ms. Stuckey inquired if practicum experience at
20 less than 15 hours per week should be excluded from
21 counting towards the required supervised experience.
22 Chairman Small responded yes.]

23 ***

24 Adjournment

25 CHAIRMAN SMALL:

1 If there's nothing else, do we hear a
2 motion to adjourn?

3 DR. MAYNARD:

4 So moved.

5 DR. ERICKSON:

6 Second.

7 CHAIRMAN SMALL:

8 All in favor?

9 [The motion carried unanimously.]

10 ***

11 [There being no further business, the State Board of
12 Psychology Meeting adjourned at 12:15 p.m.]

13 ***

14

15

16

17

18

19

20

21

22

23

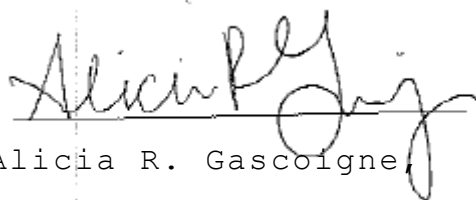
24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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.



Alicia R. Gascoigne,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF PSYCHOLOGY
REFERENCE INDEX

December 10, 2020

TIME	AGENDA
8:59	Official Call to Order
9:05	Approval of Minutes
9:05	Report of Board Prosecution
9:15	Report of Board Counsel
10:00	Report of Board Chairman
10:04	Discussion Item
10:15	Recess/Executive Session
11:46	Return to Open Session
11:46	Discussion Item
11:56	Motions
12:08	Report of Board Administrator
12:15	Adjournment