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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: 10:30 A.M.

February 8, 2021

State Board of Psychology
February 8, 2021

BOARD MEMBERS:

Richard F. Small, Ph.D., Chairman
Theodore Stauffer, Executive Secretary, Bureau of
Professional and Occupational Affairs, on behalf of
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
Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution
Division
Marc Farrell, Deputy Policy Director, Department of
State

ALSO PRESENT:

Kevin Knipe, MSW, LSW, CCDP Diplomate Program Manager,
Professional Health Monitoring Program

1 ***

2 State Board of Psychology

3 February 8, 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 returned to 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, February 8,
15 2021. Richard F. Small, Ph.D., Chairman, called the
16 meeting to order at 10:30 a.m.

17 ***

18 Introduction of Board Members

19 [Chairman Small requested Board members introduce
20 themselves.]

21 ***

22 [Jaime D. Black, Esquire, Board Counsel, announced
23 that the Board meeting was being recorded, and those
24 who remained in the meeting were giving consent to be
25 recorded.]

1
2 Appointment - Professional Health Monitoring Program
3 (PHMP) Presentation

4 [Kevin Knipe, MSW, LSW, CCDP Diplomate, Program
5 Manager, Professional Health Monitoring Program,
6 addressed program responsibilities, including case
7 management and monitoring the Bureau of Professional
8 and Occupational Affairs (BPOA) licensees who suffer
9 from substance abuse disorders and/or mental health
10 conditions. He stated PHMP's primary mission is to
11 protect the citizens of the Commonwealth from licensed
12 professionals suffering from impairment issues.

13 Mr. Knipe stated PHMP is comprised of the
14 Voluntary Recovery Program (VRP) and the Disciplinary
15 Monitoring Unit (DMU). He noted approximately 70% of
16 current enrollees were in the voluntary recovery
17 program. He mentioned the program is offered to
18 licenses with no mark on their record with an active
19 and good standing license.

20 Mr. Knipe noted DMU is reserved for licensees who
21 were formally disciplined by the Board and directed to
22 enroll through a Consent Agreement.

23 Mr. Knipe addressed the referral and notification
24 of availability process to the VRP and compliance
25 while in the program. He also discussed issues that

1 would make individuals ineligible for the VRP.

2 Mr. Knipe discussed workplace monitoring, where
3 someone aware of the individual's involvement in the
4 program would provide updates on a quarterly basis
5 regarding work performance.

6 Mr. Knipe provided data regarding the Board of
7 Psychology, noting 131 cases for the period of PHMP.
8 He provided statistical data regarding referral
9 sources and cases being referred by the Pennsylvania
10 Justice Network (JNET). He also provided material
11 outlining the total number of PHMP cases processed by
12 license type and applicant for VRP and DMU.

13 Mr. Knipe addressed VRP and DMU extension cases,
14 where individuals violate their agreements. He noted
15 looking at the severity of the violation and whether
16 or not the person would be cooperative with the
17 recommendations. He stated PHMP wants to provide
18 another chance with more of a rehabilitative program.

19 Dr. DonGiovanni questioned who would approve the
20 practice monitors when it comes through the VRP.

21 Mr. Knipe explained that the licensee has to
22 identify an individual who they are recommending to be
23 their practice monitor. He mentioned it to be easier
24 if the individual works in a facility where there are
25 peers, but a solo practitioner would have to link up

1 with another psychologist in their community.

2 Dr. Spayd requested additional information
3 regarding the renewal application process when someone
4 would be identified for PHMP and why psychology was so
5 different than the other boards for that referral
6 source. Mr. Knipe explained that it was because of
7 the low number of Board of Psychology cases received.
8 He did note that the Board would be seeing an increase
9 in JNET referrals because that was just turned on for
10 the Board. He mentioned renewal application cases are
11 predominantly DUIs or other substance-related arrests
12 that the licensee was reporting on their renewal.]

13

14 Appointment - Carolyn A. DeLaurentis, Esquire, Deputy
15 Chief Counsel, Prosecution Division Presentation
16 [Carolyn A. DeLaurentis, Esquire, Deputy Chief
17 Counsel, Prosecution Division, provided highlights of
18 the prosecution division's work during the past year.
19 She commended the staff for all of their hard work to
20 make telework successful. She noted the decisions
21 were made thoughtfully and with the safety of all in
22 mind.

23 Ms. DeLaurentis stated the Board Prosecutors made
24 every effort to monitor the restrictions, waivers,
25 policies, and new procedures specific to the practice

1 in each profession regarding challenges imposed on
2 licensees by the COVID-19 pandemic.

3 Ms. DeLaurentis noted the Pennsylvania Licensing
4 System (PALS) to be a lifeline. She stated the Bureau
5 of Enforcement and Investigation (BEI) worked closely
6 with Prosecution to continue investigations and figure
7 out the best methods during statewide shutdowns and
8 stay-at-home orders. She also noted the Professional
9 Compliance Office continued opening cases and
10 processing files, and legal assistants have been
11 working a hybrid schedule to ensure mailings and
12 filings are completed.

13 Ms. DeLaurentis commented that the Board, Board
14 staff, and counsel have all adapted to virtual Board
15 meetings and Prosecution will continue to work with
16 everyone to ensure efficient and effective
17 presentation and resolution of cases. She mentioned
18 2020 was a year filled with challenges, but the
19 Prosecution Division led by the incredible senior
20 staff rose to the challenge and will continue to do so
21 in 2021.

22 Ms. DeLaurentis informed the Board that 107 cases
23 were opened in 2020 and 102 in 2019 with 126 files
24 closed in 2020 for the Board of Psychology. She noted
25 65 open cases as of January 1, 2021. She thanked

1 Timothy Smith for his assistance providing information
2 for 2020.

3 Ms. DeLaurentis addressed enforcement actions
4 with 6 total cases that resulted in discipline in 2020
5 for the Board of Psychology. She reported 21 warning
6 letters, 3 fines, 1 reprimand, 3 revocations or
7 voluntary surrenders, and 2 probation cases in 2020.

8 Ms. DeLaurentis discussed 2020 overall
9 prosecution as a whole. She noted 44 immediate
10 temporary suspensions in 2020. She mentioned 4 of the
11 1,223 opened COVID-19 cases are for the Board of
12 Psychology in 2020. She reported the total number of
13 open cases as of January 1 is 12,250 and the total
14 number of cases opened overall in 2020 is 13,394,
15 which is down from 2019 at 16,295. She noted 13,274
16 files were closed in 2020.

17 She noted most general COVID complaints involved
18 failure to follow the Governor's Orders, Secretary of
19 Health Orders, CDC guidelines, Board guidelines,
20 masking requirements, and social distancing
21 requirements.]

22

23 Approval of minutes of the December 7, 2020 meeting
24 DR. SPAYD:

25

I move to approve the meeting minutes

1 from December 7, 2020?

2 DR. DONGIOVANNI:

3 Second.

4 CHAIRMAN SMALL:

5 All in favor? Opposed?

6 [The motion carried unanimously.]

7 ***

8 Report of Board Prosecution

9 [Nathan C. Giunta, Esquire, Board Prosecution Liaison,
10 noting nothing additional to report other than the
11 presentation by Ms. DeLaurentis.]

12 ***

13 Report of Board Counsel

14 [Jaime D. Black, Esquire, Board Counsel, addressed Act
15 116 of 2020 regarding carryover of continuing
16 education credits for one biennial renewal term. She
17 referred to the current Board regulation at § 41.59(b)
18 allowing up to 10 contact hours in excess of 30 from
19 the immediately preceding biennium to be carried over
20 from one biennium to the next.

21 Ms. Black noted prior Board discussion at the
22 December meeting, where the Board was initially going
23 to remove the carryover provision but left it in place
24 due to Act 116. She stated the Board could choose to
25 amend its current regulation or keep its current

1 language and provided a reading of § 41.59(b).

2 Dr. Small mentioned opinions from past boards,
3 where they felt there is no good reason to have the
4 carryover because obtaining CE is not that difficult.

5 Marc Farrell, Deputy Policy Director, Department
6 of State, informed the Board that they could still get
7 rid of the carryover, noting Act 116 is optional. He
8 reported no boards have adopted the carryover for Act
9 116.]

10 ***

11 MS. BLACK:

12 Does the Board want to entertain a
13 motion to move forward with eliminating
14 the carryover CE currently at regulation
15 § 41.59(b)?

16 DR. BRADLEY:

17 I'll make a motion.

18 DR. MCALEER:

19 Second.

20 CHAIRMAN SMALL:

21 All in favor? Opposed?

22 [The motion carried unanimously.]

23 ***

24 Report of Board Chairman

25 [Richard F. Small, Ph.D., Chairman, addressed the

1 Association of State and Provincial Psychology Boards
2 (ASPPB) Board Chair Meeting. He noted discussion
3 concerning waivers for internships due to COVID for
4 various residency requirements.

5 Chairman Small explained that individuals going
6 to a university that had everything virtual and a
7 closed campus would not fulfill the residency
8 requirements. He mentioned looking at both
9 internships and the actual education as far as what
10 would happen to people in this past school year.

11 Chairman Small also noted a push from the
12 American Psychological Association (APA) of people who
13 would like to be a master's level psychologist having
14 an avenue. He mentioned Pennsylvania had master's
15 level licensing up until the mid-90s.

16 Chairman Small stated the move for APA was for
17 people in the psychology tent were not following APA.
18 There are various other programs, and APA was feeling
19 pressure to develop some sort of master's level
20 limited license where a psychologist would not be at
21 the same level as a doctorate. He noted ASPPB
22 requested input from the states.

23 Dr. McAleer commented that some of this has to do
24 with professional liability with people who were
25 either unwilling or unable to pursue doctorates,

1 wanting to find some place to practice under the
2 psychology tent, and forced to go elsewhere. He noted
3 universities were looking for avenues to offer to
4 students for being able to do work professionally in
5 the future.

6 Dr. McAleer preferred to hear more discussion and
7 argument, stating he would hate to think it was just a
8 financial matter for universities to get more people
9 enrolled.

10 Chairman Small noted the Board did not want to
11 take a stand at this point.

12 Chairman Small addressed the last Board Chairs
13 Meeting, noting a presentation on the Professional
14 Practice in Psychology Part 2 (EPPP-2). He mentioned
15 ASPPB invested a lot of money and energy in EPPP-2,
16 but it had not been as well received as they would
17 like.

18 Chairman Small mentioned that one of the policies
19 ASPPB had was if an individual worked in a state that
20 did not approve the EPPP-2 but were approved to take
21 the EPPP-2, they would not let the individual take the
22 second part because the state had not approved it.

23 Chairman Small commented that ASPPB did not seem
24 to be interested in questions or comments, because
25 they always have an answer as to why they would not do

1 that. He noted Dr. Siegel suggested writing a letter
2 to ASPPB, so it could be put on the agenda for the
3 meeting. He reported that a letter was being written
4 regarding wanting to have a say in what happens.

5 Chairman Small explained that the letter from
6 ASPPB requested to consider whether or not people who
7 are in a state that had not accepted the Part 2 can
8 still take it if they were approved.

9 Dr. Bradley noted it sounds like ASPPB trying to
10 force the Board into adopting EPPP-2.

11 Dr. McAleer mentioned a push concerning EPPP-1
12 and whether or not it also needed to be revised. He
13 emphasized the importance of membership input and
14 would be interested in seeing and possibly signing the
15 letter when it becomes available.

16 Chairman Small noted the Association of State and
17 Provincial Psychology Boards 2021 Midyear Meeting is
18 April 9-10, 2021. He recommended approving all for
19 the virtual meeting.

20 Ms. Stuckey will request approval from the
21 Commissioner's Office and then the Bureau of Finance
22 and Operations would complete the registration process
23 for everyone.]

24 DR. DONGIOVANNI:

25 I make the motion that we all be

1 approved to attend the virtual meeting
2 of ASPPB April 9-10.

3 DR. BRADLEY:

4 I'll second.

5 CHAIRMAN SMALL:

6 All in favor? Opposed?

7 [The motion carried unanimously.]

8 ***

9 [Chairman Small addressed the request from the
10 Pennsylvania Psychological Association for a member of
11 the State Board of Psychology to provide a 1-hour
12 presentation on topics of interest to trainers at the
13 PPA Doctoral Summit April 23, 2021.

14 Ms. Black expressed a concern regarding a Board
15 member presenting in their Board member capacity. She
16 informed the Board that presentation materials would
17 have to be submitted for review of Board counsel,
18 Policy Office, and Commissioner's Office to determine
19 that the materials were not communicating an advisory
20 opinion.

21 Ms. Black offered to attend the doctoral summit
22 alongside the presenter, so Counsel would also be
23 available.

24 Ms. Stuckey referred to a notice on the Board's
25 website with regards to supervised experience that may

1 provide helpful information.

2 Dr. McAleer offered to present at the doctoral
3 summit.

4 Chairman Small mentioned the need for discussion
5 regarding a topic for the PPA presentation on the
6 agenda for the next meeting.]

7 ***

8 Report of Commissioner - No Report

9 ***

10 MOTIONS

11 MS. BLACK:

12 Would the Board entertain a motion to
13 approve the Supervised Experience of
14 items 8, 9, and 10, Richard Persuad
15 Shur, Psy.D.; Whitney Quinlan, Psy.D.;
16 and SheriAnn Cowie, Ph.D.?

17 DR. DONGIOVANNI:

18 So moved.

19 DR. BRADLEY:

20 I'll second.

21 CHAIRMAN SMALL:

22 All in favor? Opposed?

23 [The motion carried unanimously.]

24 ***

25 MS. BLACK:

1 So moved.

2 CHAIRMAN SMALL:

3 Second?

4 DR. ERICKSON:

5 Second.

6 CHAIRMAN SMALL:

7 All in favor? Opposed?

8 [The motion carried unanimously.]

9 ***

10 [Chris Stuckey, Board Administrator, addressed the
11 request form for EPPP testing accommodations. She
12 noted Dr. Bradley made modifications to the Board of
13 Nursing form to be more in line with psychology. She
14 mentioned the form would be provided to individuals
15 asking for accommodations to assist with providing the
16 proper information the first time around.

17 Dr. DonGiovanni thanked Dr. Bradley and Ms.
18 Stuckey for the excellent form.]

19 ***

20 MS. BLACK:

21 Would the Board entertain a motion to
22 approve the draft form to request EPPP
23 test accommodations?

24 DR. DONGIOVANNI:

25 So moved.

1 DR. MCALEER:

2 Second.

3 CHAIRMAN SMALL:

4 All in favor? Opposed?

5 [The motion carried unanimously.]

6 ***

7 FYI Items

8 [Richard F. Small, Ph.D., Chairman, referred to the
9 Psychology Interjurisdictional Compact (PSYPACT)

10 Commissioners Newsletter. He noted difficulties with
11 ASPPB never receiving a transcript he sent in August.]

12 ***

13 Adjournment

14 MS. BLACK:

15 Would the Board entertain a motion to
16 adjourn?

17 DR. SPAYD:

18 So moved.

19 DR. BRADLEY:

20 Second.

21 CHAIRMAN SMALL:

22 All in favor?

23 [The motion carried unanimously.]

24 ***

25 [There being no further business, the State Board of

1 Psychology Meeting adjourned at 12:09 p.m.]

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CERTIFICATE

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Kelly Gallick,

Minute Clerk

Sargent's Court Reporting

Service, Inc.

STATE BOARD OF PSYCHOLOGY
REFERENCE INDEX

February 8, 2021

TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:31	Introduction of Board Members
10:32	Appointment - Kevin Knipe, MSW, LSW, CCDP Diplomate, Program Manager, PHMP Presentation
11:03	Appointment - Carolyn A. DeLaurentis, Esquire, Deputy Chief Counsel, Prosecution Division Presentation
11:16	Approval of Minutes
11:17	Report of Prosecutorial Division
11:17	Report of Board Counsel
11:30	Report of Board Chairman
12:03	Motions
12:04	Discussion Items
12:08	FYI Items
12:09	Adjournment