

NORTH CAROLINA PSYCHOLOGY BOARD
Open Session Minutes
April 18-19, 2013
Greensboro, NC

The North Carolina Psychology Board met in a regularly scheduled meeting on April 18-19, 2013, at the Comfort Suites in Greensboro, NC.

Members present: Kristine Herfkens, Ph.D., ABPP, Chair; Robert Hill, Ph.D., Vice Chair; Lynn Lambert, RN, BSN, M.Ed.; Jeffrey Lorence, M.A.; Jane Perrin, Ph.D., Anthony Powell, M.A.; and Maria Velazquez-Constas, M.Ed.

Others present: Daniel P. Collins, Executive Director; Martha Storie, Executive Director; Susan Batts, M.A., Staff Psychologist; Sondra Panico, Assistant Attorney General.

Dr. Herfkens reminded Board members that, in accordance with the State Government Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. Board members were directed to identify any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting and to refrain from any undue participation in the particular matter involved. Board members were asked to identify any known conflict of interest or appearance of conflict of interest with respect to any matters coming before the Board at the meeting, and instructed that, if one arose during the course of this meeting, to articulate it to the Board.

General

1. Open session minutes of the January 16-17, 2013 meeting were approved.
2. Open session minutes of the February 19, 2013 teleconference were approved.
3. The attached Consent Agenda was accepted.
4. The financial report for the period of time ending March 31, 2013, was reviewed.
5. David Trayford's request that the Board publish, and perhaps post on the Board's internet site for all North Carolina psychology practitioners, a listing of all neuropsychological mental disorders was denied. Mr. Trayford will be informed that such information may be found in the current Diagnostic and Statistical Manual for Mental Disorders (DSM), and in the International Statistical Classification of Diseases and Related Health Problems (ICD).
6. The Board authorized Mr. Collins to sign a two-year lease for the current office space at the same rental rate for the October 1, 2012 – September 30, 2013 period.
7. Ms. Panico conducted training of Board members on provisions of the Psychology Practice Act, Board rules and the APA Ethical Principles and Code of Conduct.
8. The following legislative issues were discussed:

- a. Senate Bill 643 (Fee Bill) was introduced by State Senator Tamara Barringer (R-Wake) on April 3, 2013 and was referred to the Senate Rules and Operations Committee. The Board was informed that, in a change from the Fee Bill previously introduced in the last long session of the legislature, the new Fee Bill sets ceiling amounts for several of the fees as opposed to specifically setting a set fee amount. The Board determined to send letters to Senator Barringer and to the Chairman and Vice Chairman of the Senate Rules and Operations Committee expressing the vital need for passage of the Fee Bill as the Board cannot fulfill its statutory obligation to protect the public without increased revenue.
- b. The NCPA/NCAPP workgroup determined not to have the proposed modifications of the Psychology Practice Act relating to licensure of LPAs be introduced in the current session of the Legislature.
- c. A bill has been introduced in the NC House (H498) to require health benefit plans to provide coverage for the treatment of autism spectrum disorders. The bill adds an exemption from the Psychology Practice Act for board certified behavior analysts or board certified assistant behavior analysts who offer services within the scope of practice authorized by the Behavior Analyst Certification Board. The bill also requires that the services performed by a behavioral analyst would need to be under the direction of a licensed psychologist. The Board determined to send letters to the sponsor of the bill, as well as to the chairman of the committee considering the bill, stating the Board's support for providing insurance benefits for persons with autism, but noting its lack of support for exempting from licensure individuals that provide behavior analysis as it would not serve to protect the citizens of North Carolina.
- d. House Bill 166 is a bill to consider the feasibility of creating a single state agency to oversee the administration of boards. Ms. Panico noted that the bill had been referred to the finance committee.
- e. Senate Bill 10 adds 93B-8.1 to occupational licensing statutes use of criminal records in denials of applications and use of refusal to consent to criminal history records check as grounds for denial. Ms. Panico noted that a committee had been appointed to study the issue.

9. Following discussion, the Board determined to add an Advisory Statement on the Board's website regarding psychotropic medication consultation.

10. The Board discussed topics to be addressed in future psychNEWS articles.

11. The Board discussed several additional issues, including: the possibility of retaining a legislative liaison; instituting criminal background checks for applicants; further defining the term "residence" in the Board's rules; supervision issues; and continuing education requirements.

Legal/Ethical

12. Jared A. Linthicum, M.S. – A hearing was held in open session on April 18, 2013. Following discussion in closed session pursuant to G.S. 143-318.18(6), the Board announced in open session that it determined to deny Mr. Linthicum’s application for licensure at the Licensed Psychological Associate level.
13. In response to a request from Shanyyn Aysta, Psy.D., the Board determined that Dr. Aysta’s proposal for utilizing Peer Support Specialists at the Salisbury VA Medical Center, as described in Dr. Aysta’s April 4, 2013 letter to the Board, appeared to meet the requirements for providing ancillary services pursuant to N.C. Gen. Stat. § 90-270.21 and 21 NCAC 54 .2801-.2806. The Board reviewed a request from Mary Tota-Faucette, Ph.D. for the Board’s opinion regarding possible violations of the confidentiality and informed consent requirements of G.S. 90-270.15 and the APA Ethical Principles resulting from her employer’s use of electronic medical records. The Board found that there would not be a violation of patient confidentiality so long as her employer complied with N.C. Gen. Stat. § 122C-55.
14. Case #041307 Catinia Farrington (unlicensed) – Ms. Farrington included in her biography on her employer’s website where she is employed as an adjunct instructor a description that indicated she may have been engaged in the practice of psychology. In response to communication from Board staff, Ms. Farrington: (a) changed her biography; (b) submitted an affidavit stating that all of her activities fall under the exemption granted by G.S. § 90-270.4(a); and (c) agreed that she will not engage in the practice of psychology until she is first licensed. The Board accepted Ms. Farrington’s response and other information she submitted to close the case at this time since it appears that she is now operating in compliance with the Practice Act.
15. Case #041308 Nicole R. Rose (unlicensed) – The Board was informed that Ms. Rose is a LPCA who had been billing for psychological testing. Ms. Rose’s licensure does not allow her to conduct *psychological* testing. In response to communication from Board staff, Ms. Rose filed an affidavit with the Board stating that she has ceased to use and will not in the future use a title or description of services that includes the term “psychology,” and that she will not resume such conduct until she has become properly licensed as a psychologist with the Board. The Board accepted Ms. Rose’s response to close the case at this time since it appears that she is now operating in compliance with the Practice Act.
16. Case #041309 MaDonna Brown (unlicensed) – The Board was informed that Ms. Brown is a LPC who had included “psychological” in the name of her practice, “Life Recovery Psychological Services.” In response to communication from Board staff, Ms. Brown filed an affidavit with the Board stating that she had ceased to use a title or description that includes the term “psychology,” and that she will not resume such conduct in the future. The Board accepted Ms. Brown’s response and other information she submitted to close the case at this time since it appears that she is now operating in compliance with the Practice Act.
17. Case #041311 David Scheer (unlicensed) – The Board was informed Mr. Sheer had been advertising and/or listing himself as a psychologist through a variety of websites and the address provided on these sites is in North Carolina. In response to communication from Board staff, Mr. Scheer was directed to contact the advertisers that listed him and request that this information be removed and to provide a written response of the steps he has taken to remedy the matter. As the

Board had not received a response from Mr. Scheer, Ms. Panico was directed to contact Mr. Scheer and advise him that his advertising, as well as his maintaining an NPI number, appear to be in violation of the Practice Act and to direct Mr. Scheer to provide a statement and supporting documentation setting forth the efforts he made to have his advertisements removed and to provide verification that his NPI number had been removed.

REPORT FROM CLOSED SESSION

Upon a motion made and adopted by the Board to hold a closed session pursuant to G.S. 143-318.18(6), the Board went into closed session to discuss individual applicants or individual licensees, following which, it reported the following

18. Chad Coder, Psy.D. – Dr. Coder’s request for an extension of 90-day deadline to complete licensure application was denied.

19. Kathryn Schoenfeldt, Ph.D. – Dr. Schoenfeldt’s request for an extension of the deadline to sit for the examinations was denied.

20. Allison Osborn – The Board reviewed and denied Ms. Osborn’s request for the Board to reconsider its previous decision to deny her request to re-set her four-month examination deadline from February 8, 2013, to March 19, 2013, including allowing her to retake the EPPP at no additional fee.

21. Lisa Seropian, Psy.D. – Dr. Seropian’s request for a refund of the \$10.00 reinstatement fee for her professional psychological corporation was denied as Board rules require that an application for renewal must be sent prior to January 1st, not that a second notice be sent.

22. Faith Wokoma, Psy.D. – Dr. Wokoma’s request for extension of eight-month deadline to take both the EPPP and state exams was denied.

Supervision

23. Jacome, Natalie, M.A. – The Board approved for Level 2 reduced supervision.

24. Reaves, Karen, M.A. - The Board denied Ms. Reeves’ application for Level 2 reduced supervision as she failed to document that all performance ratings for the preceding 3 years and 4500 hours of post-licensure supervised practice had been average or above average and that supervision had been provided by appropriate supervisors as defined by 21 NCAC 54 .2001.

Continuing Education

25. David Trayford – The Board granted Mr. Trayford’s request that the Board grant Dr. William Burlingame permission to issue him a certificate of course completion that he could utilize for Category B continuing education for the licensure period ending 2014.

26. Carolyn B. Bauknight, Ed.D. – As Dr. Bauknight has retired and did not have access to her continuing education records, the Board granted her request to relinquish her license.

Legal/Ethical

27. Linda Duthiers, Ph.D., Respondent – The Board reviewed and approved Dr. Duthiers’ request to be released from supervision required under the Consent Order dated December 1, 2010. As Dr. Duthiers complied with all conditions set forth in the above referenced Consent Order and there are no longer any conditions or restrictions on her license to practice as a Psychologist in North Carolina.

28. Joanne Woodard, Ph.D. – CONSENT ORDER was approved and signed on April 18, 2013. Dr. Woodard admits that the conduct described constitutes violations of N.C. Gen. Stat. § 90-270.15(a)(7) of the North Carolina Psychology Practice Act, and 21 N.C.A.C. 54 .2104 (f) and (i). Dr. Woodard’s license is REPRIMANDED and she is ordered to successfully complete tutorials; submit proper documentation establishing that she has completed all of the required continuing education hours with her application for the 2014-2016 and the 2016-2018 biennial licensure renewal periods; and is assessed \$300.00 in costs.

29. Mawiyah Kambon, Ph.D., Respondent - CONSENT ORDER was approved and signed on April 18, 2013. Dr. Kambon admits that the conduct described constitutes violations of N.C. Gen. Stat. § 90-270.15(a)(7) of the North Carolina Psychology Practice Act, and 21 N.C.A.C. 54 .2104 (f) and (i). Dr. Kambon’s license is REPRIMANDED and she is ordered to successfully complete tutorials; submit proper documentation establishing that she has completed all of the required continuing education hours with her application for the 2014-2016 and the 2016-2018 biennial licensure renewal periods; and is assessed \$300.00 in costs.

30. John Cassidy, Ph.D., Respondent – CONSENT ORDER was approved on April 18, 2013. Board accepted and signed Consent Order; Respondent admits that the conduct described constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(6), (a)(10), (a)(11), (a)(20) and (a)(21) of the North Carolina Psychology Practice Act, and Standards 3.04, 3.05(a), 3.08 and 10.05 of the *Ethical Principles of Psychologist and Code of Conduct* (American Psychological Association 2002). Respondent’s license is immediately REVOKED. He shall not apply for re-licensure in NC and must remit \$300.00 in costs.

31. James Snyder, Ph.D. – The Board reviewed and accepted the tutorial report submitted by Thomas Thompson, Ph.D.

File Review

Confirm Denial

Brownley, Kimberly A. – LP

Johnson, Shelby R. – LPA

Linthicum, Jared – PA (after hearing)

Waugh, DeAnna A. – PA/HSP-PA

Admit to Both Exams

Adamchick, Kelly Ann – PA

Merrigan, Nicole R. – PA

Admit to State Exam

Heilman, Sheila – PA

Dunham, Jessica – PP

Other

Ezzell, Robin – PA (approved HSP)

Reyes-Rodriquez, Mae Lynn – PP (denied provisional to permanent as her training site did not have two doctoral level trained licensed, certified, or license eligible psychologists as supervisors who had ongoing contact with Dr. Reyes-Rodriquez.)

A handwritten signature in cursive script that reads "Daniel P. Collins". The signature is written in black ink and is positioned above the printed name.

Daniel P. Collins, Executive Director

CONSENT AGENDA
April 18-19, 2013

1. The following items are identified for possible discussion at future meetings:
 - a. change to administering the state examination in a manner that will serve to educate, rather than obtain a pass or fail score
 - b. electronic scanning of all records - staff will obtain an estimate
 - c. explore developing an advisory statement regarding life coaching vis á vis the practice of psychology [A note was placed in the June 2009 newsletter inquiring whether any licensee who engages in life coaching would be interested in contributing to this project; no responses were received.]
 - d. consider amending rules which address the filing of a Section 2 supervision contract when an individual's work is totally outside of the mental health field
 - e. generate a written Board history/casebook [as time permits, the Communication Specialist will interview persons and research written documents so that milestones and precedents can be compiled]
 - f. provide updates, as applicable, regarding professional roles in the development, authorization, and implementation of person-centered plans within DHHS [ongoing]
 - g. explore developing a training video regarding the application process and requirements for licensure
 - h. explore seeking legislation to mandate that malpractice settlements over a certain amount are reported to the psychology board
 - i. further define the term "residence" in board rules
 - j. explore adding an "inactive" status to the statute
 - k. possibly revise Board rules which address the displaying of one's licensure and HSP certificates to cover situations in which services are being providing electronically

Supervision

2. The following reduced supervision files have been reviewed and approved since the last meeting at the indicated level:
 - a. Britton, Lauren, M.A.-3
 - b. Clary, Jamie, M.A.-2
 - c. Hartley, James, M.S.-3
 - d. Jordan, Kelly, M.A.-2
 - e. Lindsay, Deborah, M.A.-3
 - f. Perdue, Elizabeth, M.A.-2
 - g. Plattner, Calandra, M.A.-2
 - h. Rohda, Daniel, M.A.-2
 - i. Spruill, Kristen, M.A.-2
 - j. Smith, Lisa, M.A.
 - k. Vaught, Donna, M.S.-3
 - l. Wood Mary, M.S.-3

3. The following alternate supervision applications have been reviewed and approved since the last meeting as follows:

- a. William Ritenour, M.A.
- b. Kristin Spruill, M.A.

File Review

4. The following files have been processed since the last meeting:

Admit to Both Exams

Aikman, Ashley – PA
Chapman, Ana - LP
Churn, Dolores - LP
Elliott, Alex – PA
Gartner, Aubrey – PP
Goers, Rachel - PA
McCarty, Kendra-PP
Minkel, Jared D. – PP
Pratt, Courtney – PA
Sommer, Jennifer - PP
Whited, Amanda L. – PP
Wood, Vania - PA

Admit to State Exam

Bollini, Michael – LP (senior)
Callaway, Stephanie - LP
Ginsberg, Mark – LP (senior)
Irvine, Cecile – LP (needs HSP)
Johr, Gabriella – LP
Niemeier, David – LP (senior)
Niemeier, Janet – LP (mobility)
Prasad-Gaur, Archana - LP
Rogers, Donna R.B. – LP (senior)
Sargent, Carrie – (reinstate PA)
Valus, Kristen – LP (senior)
Wilson, Jennifer – LP

Admit to EPPP

Love, Christopher – LP