

NORTH CAROLINA PSYCHOLOGY BOARD
Open Session Minutes
July 31, 2013
Raleigh, NC

The North Carolina Psychology Board met in a regularly scheduled meeting on July 31, 2013, at the LaQuinta Inn & Suites - Crabtree in Raleigh, NC.

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

Others present: Daniel P. Collins, Executive Director; Susan Batts, M.A., Staff Psychologist; and 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 April 18-19, 2013 meeting were approved.
2. The attached Consent Agenda was accepted.
3. The financial report for the period of time ending June 30, 2013 was reviewed.
4. Mr. Collins notified the Board that a new two-year lease for the Board's office space in Boone had been approved and executed by the both the State Property Office and the landlord. The new lease will run from October 1, 2013 to September 30, 2015.
5. The Fiscal Year 2012-2013 Annual Report was reviewed, approved and signed by the Board.
6. 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 has been referred to the Senate Rules and Operations Committee.
 - b. House Bill 498 - requires health benefit plans to provide coverage for the treatment of autism spectrum disorders while also adding 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, which does requires that the

services performed by a behavioral analyst be under the direction of a licensed psychologist, was approved by the House on May 15, 2013 and has been referred to the Senate Insurance Committee.

- c. House Bill 74 – The House and Senate approved the bill on July 26, 2013 which requires every state agency to review all of their rules and prepare an analysis of which rules are necessary and unnecessary. The results of the analysis would then be posted on the agency’s website for public comment and then reviewed by the Rules Review Commission and the Joint Legislative Administrative Procedure Oversight Committee, who will have the final say on what rules are necessary/unnecessary. The Rules Review Commission has been charged with determining the deadlines by when agencies will have to submit their review analyses.
- d. Session Law 2013-24 – Added new section to 93B requiring occupational licensing boards consider the following factors before denying licenses to applicants with criminal records:
 - the level and seriousness of the crime;
 - the date of the crime;
 - the age of the person at the time of the crime;
 - the circumstances surrounding the commission of the crime, if known;
 - the nexus between the criminal conduct and the prospective duties of the applicant as a licensee;
 - the prison, jail, probation, parole, rehabilitation, and employment records of the applicant since the date the crime was committed;
 - the subsequent commission of a crime by the applicant; and
 - any affidavits or other written documents, including character references.
- e. Possible legislation to allow independent practice for LPAs (The Board instructed staff to request that inquiry be submitted in writing)

7. Mr. Collins informed the Board that the FY2014 State Budget did not include a pay increase for state employees, but granted forty (40) hours of additional vacation time.

8. The Board set the following tentative meeting dates for 2014: January 15-17; April 30-May 2; August 6-8; and November 5-7.

9. The Board discussed topics to be addressed in future psychNEWS articles, which resulted in extensive discussion on development of an advisory statement to be posted on the Board’s website regarding adoption and use of DSM-5.

10. Kristine Herfkens, Ph.D., ABPP, and Robert Hill, Ph.D., ABPP, were elected Chair & Vice-Chair, respectively, for 2013-2014 fiscal year.

Legal/Ethical

11. Case #071304 Katherine Leslie, Ph.D (unlicensed) – The Board was informed that Dr. Leslie may have been practicing psychology without a license and that her conduct may have exacerbated the family situation of the client as well as threatening her adoption. Based upon a review of the case report, as well as Dr. Leslie’s website, the Board determined that Dr. Leslie was practicing psychology without a license and instructed staff to send a cease and desist letter to Dr. Leslie and to the Departments of Social Services for which Dr. Leslie provided services.

12. Case #041311 David Scheer (unlicensed) – The Board was informed that Mr. Scheer had twice failed to respond to the Board’s direction to provide a statement and supporting documentation setting forth the efforts he made to have both the advertisements and his NPI number removed as it appeared he was in violation of the Practice Act. As it appears Mr. Scheer is not living in North Carolina and there was no direct information that he was practicing psychology in the State, the Board determined to keep the matter open and will revisit the issue should Mr. Scheer apply for licensure in the future or information becomes available that he is practicing psychology without a license.

13. Board Projects – The Board reviewed and discussed the following list of ongoing/future projects as indicated below (the Board determined to remove the:

- 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
- c. explore developing an advisory statement regarding life coaching vis á vis the practice of psychology
- 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][Board determined to remove item from list]
- f. provide updates, as applicable, regarding professional roles in the development, authorization, and implementation of person-centered plans within DHHS [Board determined to remove item from list]
- g. explore developing a training video regarding the application process and requirements for licensure [Board determined to remove item from list]
- h. explore seeking legislation to mandate that malpractice settlements over a certain amount are reported to the psychology board [Board determined to remove item from list]
- 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
- l. instituting criminal background checks

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:

14. Jean Zettler, M.A. – Ms. Zettler’s request for extension of the eight-month deadline to take both the EPPP and state exams was denied.

15. Dan R. Winslow, M.A. – The Board reviewed and accepted Mr. Winslow’s request to relinquish his license as he is retiring from the practice of psychology.

16. Andrea Lee, PH.D. – The Board reviewed and accepted Dr. Lee’s request to relinquish her license as she has relocated to Virginia and is no longer practicing psychology in North Carolina.

Legal/Ethical

17. Jared A. Linthicum, M.S. – FINAL DECISION denying Mr. Linthicum’s application for licensure was approved and signed on July 31, 2013. Mr. Linthicum’s supervised training experience site did not meet the requirements of 21 N.C.A.C. 54 .1802(a)(8)(C) as it did not have a designated and appropriately licensed or certified psychologist or psychological associate responsible for the integrity and quality of the supervised training experience. In addition, Mr. Linthicum’s supervised training experience did not meet the requirements of 21 N.C.A.C 54.1802(a)(8)(H) as his supervised training experience was not conducted by a licensed or certified psychologist or psychological associate or by an individual holding a master's, specialist, or doctoral degree in psychology.

18. Julie L. Pike, Ph.D. – CONSENT ORDER was approved and signed on July 31, 2013. Dr. Pike admits that the described conduct constitutes violations of N.C. Gen. Stat. § 90-270.15(a)(10) of the North Carolina Psychology Practice Act, and Standard 3.05(a) of the *Ethical Principles of Psychologists and Code of Conduct*. The Consent Order constitutes REMEDIAL ACTION and is not disciplinary action. Dr. Pike is ordered to successfully complete tutorials and remit \$300.00 in costs.

19. Harry L. Piersma, Ph.D. – CONSENT ORDER was approved and signed on July 31, 2013. The Board issued a letter alleging that Dr. Piersma’s conduct in August 2012 violated N.C. Gen. Stat. §§ 90-270.15(a)(10) & (a)(12) of the North Carolina Psychology Practice Act. Dr. Piersma does not admit to these violations. Dr. Piersma agrees to voluntarily RELINQUISH his license, agrees to refrain from reapplying at any time for licensure to practice psychology in North Carolina and must remit \$300.00 in costs.

20. Hillary Siedler, Ph.D. – CONSENT ORDER was approved and signed on July 31, 2013. Dr. Siedler acknowledges that the conduct described constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(10) & (a)(11) of the North Carolina Psychology Practice Act, and Standards 3.05(a) & (b) & 10.08(a) of the *Ethical Principles of Psychologists and Code of Conduct*. Dr. Siedler’s license is SUSPENDED until April 1, 2014 and she is ordered to receive therapy on a weekly basis for nine months beginning July 1, 2013, or until her therapist determines it is appropriate to terminate therapy, whichever is later. Dr. Siedler also must complete a fitness for practice evaluation. If the Board determines that Dr. Siedler is fit to practice based upon the fitness for practice evaluation and the reports from her therapist, she may resume practice under PROBATION for a period of two years consisting of 3,000 hours in the practice of psychology, whichever takes longer to occur, during which time Dr. Siedler must be supervised. If the Board determines that Dr. Siedler is not fit to practice based upon the fitness for practice evaluation and therapist reports, her license shall be revoked. Dr. Siedler also must remit \$300 in costs.

21. JoAnne Woodard, Ph.D. – The Board reviewed and accepted the tutorial report submitted by Thomas Thompson, Ph.D.

File Review

Propose Denial

Bryan, Alicia J., M.A. – PA
Crawford, Edora, Ph.D. – LP
Hewett, Michael C. Ph.D. – LP
Simons, Cecil J., Ph.D. – LP
Versola-Russo, Judy M., Psy.D. – LP

Admit to Both Exams

Daubs, Carlyn M., M.S. – PA
Deakins, Robert E., Psy.D. – LP (Still needs organized training year; can be provisionally licensed)
Irvine, Robert B., Ph.D. – LP
Villalobos, Michele Elizabeth, Ph.D. – LP
Wetsel, Michael, Psy.D. – LP

Admit to EPPP

Gamble, Kimberly Ann, Psy.D. – PA to LP

Admit to State Exam

McReynolds, William T., Ph.D. – LP/HSP-P

Other

Bustamante, Amy, Psy.D. – HSP-P (Mr. Powell recused himself from the meeting during discussion of Dr. Bustamante's application as Mr. Powell is a work colleague of Dr. Bustamante.)

Mullis, Jeremy R. – PA re-app (The Board determined to request Mr. Mullis complete a substance abuse evaluation prior to the Board approving his application for licensure.)



Daniel P. Collins
Executive Director

CONSENT AGENDA
July 31, 2013

Supervision

1. The following reduced supervision files have been reviewed and approved since the last meeting at the indicated level:

- a. Carley, Sarah, M.A.-2
- b. Horn, Mark, M.A.-2
- c. Manley, Holly, M.A.-2
- d. Schmitt, Elizabeth, M.A.-2
- e. Smith, Chalyce, Psy.D.-2
- f. Voorhees, Susan, M.S.-3
- g. Youron, Michael, M.A.-2

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

- a. Nathan Saxon M.S., will receive direct supervision from J. Anthony Powell, M.A, for his practice at the NC DOC. Patricia Hahn, Ph.D., assumes direct responsibility for the plan.

File Review

Admit to Both Exams

Adamchick, Kelly - PA
Clevenger, Erin - PP
Coleman, Margaret - PA
Hernandez, Cesiaah - PP
Hill, Marquita – PA
Hirschel, Michael – LP
Jones, Zakiyah - PA
McKee, Allison - PA
Mitchell, Melanie - PP
Peat, Christine - LP
Royal, Kira – PA
Runfola, Cristin – B-LP
Sale, Rafaella - PA
Sherrill, Shermunda – PA
Smith, Juane – PA
Spaeth, Jessica – PP
Volz, Angela - PP

Admit to State Exam

Babin, Patricia – LP (Mob)
Caron-Besch, Marcia – LP (Mob)
Edwards, Shenelle - LP

Gaydos, Alexa-LP (Mob)
Gorman, Kimberly-LP (Senior)
Hellyer, Grant – LP (Mob)
Jung, Yoon – LP
Junker, Gary (LP) (Senior)
Kennerly, Richard – LP (Mob)
Kottler, Bruce – LP
Leininger, Shelley - LP
Manalo, Michael – LP
Matuszewicz, Marlene – (Mob)
Moss, Susan – LP (reinstate)
Muggeo, Louis – LP (Mob)
Pane, Heather - PP
Peed, Steven – LP (Mob)
Pshenishy, Erin - PP
Rappaport, Brad – LP
Robinette, Clyde – LP (Mob)
Sayers, Sean – LP (Mob)
Tracy, Erin – LP
Towle-Silva, Erin - LP
Walden, Jeffrey – LP
Wilde, Donald – LP (Senior)

Admit to EPPP

Cunningham, Cristina – LP

License

Fletcher, Suzanna – LP