

Maryland State Board of Examiners of Psychologists

Open Board Meeting Minutes – March 9, 2012

The 572nd Open Meeting of the Maryland State Board of Examiners of Psychologists was called to order at 9:15 a.m. by the Chairperson, Steven Sobelman, Ph.D.

Board members present:

Joann Altiero, Ph.D.
Jeffrey Barnett, Psy.D., ABPP
Robert Brown, Ph.D., ABPP
Laurie Friedman Donze, Ph.D.
Lydia McCargo-Redd, Consumer Member
Neal R. Morris, Ed.D., MS, CBSM, ABPP
Harriett Rakes, Consumer Member

Board member absent:

Myra Waters, Ph.D., Vice-Chairperson

Staff Present:

Lorraine Smith, Executive Director
Dorothy Kutcherman, Licensing Coordinator
Linda Bethman, AAG, Board Counsel
Brett Felter, Staff Attorney

Public Present:

Julie Bindeman, Psy.D. - MPA
Robert B. Cohen, Ph.D. - MPA
Paula Hollinger, DHMH
Sharon Bloom, DHMH

A. Minutes

Minutes of the Open meeting held on February 10, 2012 were reviewed and approved.

B. Announcements

Executive Director – Ms. Smith reported that of the 11 individuals who took the jurisprudence exam on February 17, 2012 there was one failure. The list of registrants for the March 23, 2012 exam was distributed and reviewed. **A motion was made, seconded, and unanimously carried to approve the list and to authorize the**

Licensing Committee to approve others eligible to take the exam that may register at a later date.

Ms. Smith stated that the Board's bill SB 262 *State Board of Examiners of Psychologists – Penalties and Fines* passed in the Senate with the amendment that the Board would develop regulations to address the concern of penalties being applied to licensees that provide services on an expired license. Ms. Smith also stated that the regulations on 10.36.08 *Disciplinary Sanctions and Monetary Penalties* regulations have been finalized and are posted on the website.

Ms. Smith reported that SB 866 *Health Occupations Boards – Regulations – Scope of Practice Advisory Committees* failed. HB 496 on child abuse also failed. HB 999 *Crimes - Child Abuse and Neglect - Failure to Report* is scheduled for a hearing on March 14, 2014.

Chairperson – Dr. Sobelman asked Dr. Brown to act as Vice-Chair in the absence of Dr. Waters. Dr. Sobelman reported that he and Dr. Brown attended MPA's conference on March 3, 2012 and a few licensees at the conference felt that there existed a "continuing education (CE) dead zone." This dead zone was said to exist because these licensees renewed their license before the reporting period ended, and acquired additional CEs during the same reporting period. After some discussion it was agreed that ample notice was given to licensees about this change in CEs; therefore no Board action was needed.

C. Temporary Exception Request

Casey S. Nelson, Psy.D submitted a request for temporary exception to practice psychology in Maryland until September 2013. Dr. Nelson is licensed in the District of Columbia and affiliated with a District of Columbia based organization that provides services to some Maryland residences. After discussion, **a motion was made, seconded, and unanimously carried to deny the request until a Maryland licensure application is approved to sit for the Maryland examination.**

D. MPA Conference

Dr. Donze gave a brief report on the Maryland Psychological Association's Conference on health care reform held on December 9, 2011. Conference speakers included Dr. Richard Frank of Harvard University, Dr. Howard Goldman of the University of Maryland, and Dr. Katherine Nordal of the American Psychological Association.

E. Committee Reports

Disciplinary – Dr. Barnett stated that the committee would meet following the Board meeting.

Licensing – Dr. Brown reported that the committee met on February 10, 2012 and discussed requiring licensees to list their intended area of practice. Committee members agreed on the concept of psychologists assessing their competencies, however, there was concern that the implementation of requiring licensees to list their intended area of

practice would be used as a “gotcha.” The intent is to use the information to determine how many licensees practice in a particular area. It was agreed that the information should not be used during an investigation. The committee will continue to pursue the discussion and present a recommendation to the Board.

Dr. Morris gave a report on the issue of Applied Behavior Analysts (ABA). Dr. Morris reported that the organization *Autism Speaks* is very active in about 31 states and promote the use of ABAs in treating Autism Spectrum Disorder (ASD). Many states have legislation requiring insurance companies to pay ABA for services. In some states ABAs have approached psychology boards asking to become part of the Board. Some states suggest that licensed psychologists hold a behavior analyst certification by the Behavior Analysts Certification Board. A workgroup at the American Psychological Association issued a statement that psychologists should be able to practice behavior analysis by virtue of their education and training without obtaining additional certification. To be a Board Certified Behavior Analyst (BCBA) requires a Master’s degree and to be a Board Certified Assistant Behavior Analyst (BCaBA) requires a Bachelor’s Degree. Dr. Morris reported that there are currently about 127 behavior analysts in Maryland and about 15% of them are psychologists. Dr. SungWoo Kahng is the Director of the Maryland Association for Behavior Analysis. After some discussion, it was agreed to invite Dr. Kahng to speak to the Board about activities in Maryland.

Dr. Brown stated that he and Ms. Kutcherman reviewed the practice act and identified areas where new exam questions may be needed. The committee continues to perform audits of continuing education hours and reviewing applications.

Dr. Brown questioned the policy of approving “webinars” as a “live” course when the regulations clearly state that 20 hours may be home/independent study. After discussion, it was the consensus to continue to allow “webinars” to count as being a regular seminar provided it is offered **simultaneously** with a live course (real-time) **and** is interactive. Discussion ensued about the change in the CE reporting date for this renewal period. It was confirmed that anyone taking courses between January 1 and March 31, 2012 cannot use those hours for the 2014 renewal.

Public Affairs – Dr. Donze reported that the committee met telephonically on March 5, 2012. It was reported that the newsletter was completed and distributed. Members were asked to provide articles for the spring/summer newsletter by April 16, 2012. Dr. Donze reported that once DHMH finishes upgrading the network, information that is misplaced will be put back where it belongs and the committee will continue to assess ways to improve the website. The committee will also contact MPA to see if they are interested in having representative of the Board present at their annual conference.

F. Administrative Session/Adjournment

A motion was made, seconded, and unanimously carried to enter into Administrative Session at 12:15 p.m. to discuss disciplinary matters and to consult with Counsel. Unless recused, those attending the open session remained for the administrative session. The Board came out of administrative session at 1:30 p.m. and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sobelman", written in black ink.

Steven Sobelman, Ph.D.
Chairperson